

Functional Translation of the Right to Information Regulation

Introduction and Title	1.	(a)	This Regulation is formed under the Act No: 1/2014 (Right to Information Act) passed by People’s Majlis for the undemanding enforcement of the Act to determine the matters of the State are conducted with transparency and accountability.
		(b)	This Regulation shall be cited as the “Right to Information Regulation”.
Objective	2.		The objective of this Regulation is to determine the principles and procedures in which the objective in section 1 (a) could be achieved and to specify the following matters: <ul style="list-style-type: none">(a) To clarify the detailed right to access and obtain information in any State Institute;(b) To determine the principles by which the right to information shall not be disclosed in certain circumstances in order to uphold the public interest;(c) To encourage the widest publication of information available at State Institute;(d) To ensure that information held by any State Institute in relation to a person is complete, accurate and not false;(e) To determine reasonable principles required to administer those specified in this section.
General principles to Right to Information	3.	(a)	This Regulation enforces upon State Institute, where a person has requested information, that the person be notified whether the requested information is in the said State Institute or not.

- (b) If the requested information under this regulation is not available at the State Institute, the person should be notified in which State Institute the requested information will be available from, at a reasonable opportunity. For the use of this section under this Regulation, reasonable opportunity is considered to be not more than 5 working days.
- (c) Unless specified otherwise in this Regulation, Where information present at a State Institute is deemed to be disclosed according to this Regulation, disclosing the information at a reasonable opportunity, is also enforced upon the State Institute.
- (d) Notwithstanding where a statute, already enforced or that comes into enforcement after Act No: 1/2014 (Right to Information Act), specify that information present at a State Institute shall be disclosed under a certain procedure, or such information shall not be disclosed, precedence must be given to the principles specified in the RTI Act. Disclosure or non-disclosure of such information shall be based on the parameters of this Regulation determined under the RTI Act.

Right to
Information

4.

- (a) Access to information that is in a State Institute in accordance with the procedure in this Regulation and RTI Act is a legally enforceable right available to every person who requests for such information;
- (b) Enforceable legal right under sub-section (a) of this section shall mean that access to information may be requested in accordance with the procedures of this Regulation, or such benefit may be

obtained through a judicial authority and a judicial order.

- | | | |
|---------------------------|----|--|
| Abolished State Institute | 5. | Either of the following shall be responsible for information produced, held or maintained by a State Institute that has ceased to exist:- |
| | | <ul style="list-style-type: none">(a) Where function of a State Institute are assigned to another State Institute, the office that the functions have been assigned to.(b) Where the functions of a State Institute are assigned to two or more other State Institute, responsibility shall be borne by whichever of those offices which has the relevant information in question(c) Where the functions of that State Institute have not been assigned to any other State Institute, the authority in whose custody the information is. |
| Request for information | 6. | <ul style="list-style-type: none">(a) A request for information from a State Institute must be made through the form in the appendix 1 (One) in this Regulation or through a form similar to this made by the institute and must:<ul style="list-style-type: none">(1) State that the request for information is made under this Regulation;(2) Provide such details concerning that information as is reasonably necessary to identify it;(3) Specify an address where documents to be given to the applicant under this Regulation shall be sent to;(4) Be accompanied by the fee payable under the rules promulgated by that State Institute |

for access to such information; or give assurance of payment upon request by that State Institute.

(5) Specify the name, address and phone number of the person submitting the request.

- (b) Where the person requesting for information, is incapable of submitting a request in writing, as prescribed in subsection (a) of this section, due to a physical incapability or illiteracy, such persons may orally submit his request, with the information specified in subsection (a) of this section, to the Information Officer of the State Institute.
- (c) In such circumstances prescribed in subsection (b), the Information Officer, must write down the request, sign it, and have a third person witness the process, have the witness sign the request, have the person orally submitting the request fingerprint the request, and give a copy of the written request to that person.
- (d) In circumstances where the person requesting for information under this regulation requests to fill the form, the information officer or the person appointed by the Information Officer should help in filling the form while it does not interrupt office works.
- (e) In circumstances where the form mentioned in subsection (a) of this section is not introduced by the State Institute, the form in the appendix 1 (One) of this Regulation can be used.
- (f) The State Institute must provide a receipt acknowledging that a request has been submitted

Time within
which to comply
with request for
information

7.

- (g) The State Institute must provide the requisition form for the information or it should be available in their websites to download.
- (a) Where a request to access for information is made under this Regulation, action on the request must be taken within 21 (twenty-one) days.
- (b) Notwithstanding subsection (a) of this section, where request for information is made to save the life and liberty of a person, such information must be provided within 48 (forty eight) hours.
- (c) Where the information requested is to be provided by undergoing extensive research, or where the information so requested is great in quantity, and where having to set aside time to undertake such tasks would impede significantly the general functions of the State Institute, for the reasons mentioned herein, the State Institute, before the expiration of the 21 (twenty-one) days mentioned in subsection (a) of this section, can extend the time to an additional 14 (fourteen) days within which to comply with request for information.
- (d) Where a State Institute extends the 14 (fourteen) days under subsection (c), the party requested for information must be notified in writing before the expiration of 21 (twenty-one) days.
- (e) Where a State Institute fails to comply with the procedures prescribed in this section, that State Institute shall for the purposes of this Regulation be considered to have refused to release such information.

Incomplete or
Inaccurate or
Meaningless
Request

8.

- (a) A request for information from a State Institute may be declined for failure to provide the necessary information in the application, as specified in this Regulation.
- (b) However, as mentioned in the subsection (a) of this section, a request may be declined only after notifying the applicant and providing the applicant sufficient opportunity to complete all the information required for an application and if the applicant refused to comply with the stipulations required for an application under this Regulation. If the applicant did not complete the application in the given opportunity, it shall be considered as a refusal.
- (c) The appropriate opportunity described under subsection (b) of this section is referred to the sufficient time. Sufficient time can be justified via the norms of the society.
- (d) As mentioned in the subsection (b) of this section, if the applicant needed any assistance in completing the information, the assistance should be provided by the State Institute.
- (e) Where the State Institute has responded to the request, or had done so to the same request previously, and where after the response the information had not notably changed, or where sufficient time had not elapsed, having notified the applicant in writing, the State Institute has the discretion not to proceed with the request, for the reasons so given.

		(f)	The sufficient time mentioned in the subsection (e) of this section is considered to be not more than 1 (one) year.
Transfer of a request from one State Institute to the other	9.	(a)	<p>A State Institute in receipt of a request may under the following circumstances transfer the request to another Institute if;</p> <ol style="list-style-type: none"> 1. The information to which the request relates is not in custody of the State Institute in receipt of the request, and the information is to the knowledge of that office held by another office, or; 2. The information to which the request relayed is held by the State Institute in receipt of the request but its disclosure may best be made by another institute, and; 3. Another State Institute consents to the transfer of a request to that institute. <p>(b) Where a State Institute transfers a request to information to another Institute, in accordance with subsection (a) of this section, it must notify the applicant regarding the transfer in writing, specifying the date and reason for which the request was transferred to the other institute.</p> <p>(c) Where a State Institute transfers a request to information to another office, in accordance with subsection (a) of this section, it must complete the transfer within 7 days of receiving the request.</p>
Information stored in formats	10.	(a)	Where the request to access certain information is made, and where it is found

other than documents

that the relevant information is not at the time available in discrete written form but is stored in any other source which can be retrieved or replicated on to discrete written form, the State Institute in receipt of the request shall deal with the request as if it were a request to access a written document. For the purposes of this Act such information will be deemed to be in the form of a written document.

- (b) For the purpose of this regulation, information disseminated in an audio, video, in soft format or any other source other than in a written document shall be considered disclosed.

Decisions regarding requests to access information

11.

- (a) On receiving a request for information the related State Institute must decide:

1. Whether the information requested can be given promptly or at a later date or if it would be permissible to disclose such information;
2. Whether any fee shall be charged to disclose such information;
3. Whether the information cannot be released within 21 (twenty-one) days;

- (b) Where a State Institute fails to notify anything to the applicant who has made a request to access information within 21 (twenty one) days of such request, that institute shall for the purposes of this Regulation be considered to have refused to discharge such information.

Acknowledging a request for information 12.

Where a request for access to information is received to a State Institute, it shall reply to the applicant in writing, informing:

- (a) Where the application is accepted, notice thereof, the amount payable for the disclosure of the requested information and the manner in which the information would be disclosed;
- (b) Where the application is not accepted, that it is not accepted and the reason(s) for not accepting it;
- (c) Whether the information requested is available or not from the State Institute to which the request was made;
- (d) Where the information requested is at the custody of the State Institute but cannot be disclosed, the reason(s) for non-disclosure;
- (e) Where the information cannot be given within 21 (twenty one) days, the reason(s) for the delay;
- (f) Where the applicant receives response in accordance to subsections (b), (c), (d) and (e) of this section, he has the right to appeal under this Regulation.

Refusal to disclose the information requested 13.

(a) On receiving a request to access information, the Information Officer of the related State Institute may refuse to disclose the information if:

- 1. The request relates to information exempted by Right to Information Act or this Regulation, and does not meet any of the circumstances specified in section 20 of this Regulation, or
- 2. The information is otherwise available to the public from that

Institute or elsewhere, free of charge or for a fee, or

3. The information is otherwise accessible to the public without any payment and is disclosed to the public as a normal practice or policy of that State Institute, or
4. The information is available as a matter of course to the public for a payment.

- (b) Notwithstanding subsection (a)(1) of this section, where a request for information relates to that which has been exempt from Right to Information Act or this Regulation, and where that information is exempt because it contains a specific piece of information that can be deleted, and such deletion would remove it from the domain of an exempt information under the Act, then the State Institute in receipt of the request shall not refuse to disclose that information, if it is possible to grant access after deleting the exempt information.
- (c) Where a State Institute decided to release information as according to subsection (a) of this section, the State Institute must notify the applicant in writing, the reason for the decision.
- (d) In circumstances where the Information Officer refuses to provide information specified in subsection (a)(2) of this section, the applicant must be made known the place, or the State Institute, or the procedure by which the requested information can be sought.

Deferment in disclosing a record

14.

- (a) If the requested information cannot be disclosed when the application is made due to the following reasons, the information can be withheld having decided a time for disclosure and up until such time:
1. Where the information ought to be disclosed under this Regulation or another Act and the time for such disclosure has not arrived at the time the request is made or;
 2. Where the document is prepared for presentation to the People's Majlis and the time for such presentation has not arrived at the time request is made or;
 3. If the document is prepared to be presented to a certain authority as may be required by law or an ongoing event or a preplanned event and the time for such presentation has not arrived at the time request is made.
- (b) The Information Officer, having decided to defer the disclosure of information, as according to subsection (a) of this section, it shall informed in writing to the applicant that the disclosure of requested information has been deferred, stating the reason for the deferral and the date on which the deferred information would be disclosed.
- (c) Once the applicant is notified of the deferment in accordance with subsection (b) of this section, the applicant has the right to lodge a complaint with the Review Committee of the State Institute within 14 (fourteen) days of the receipt of the deferment notification.

Ways in which
information may
be disclosed

15.

(d) Where the decision of the Review Committee of the State Institute, in relation to a complaint lodged before him, in accordance with subsection (c) of this section, is also to defer access to the requested information, that decision must be notified in writing to the applicant. Whereby the applicant has the right to appeal to the Information Commissioner, within 14 (fourteen) days of the receipt of the said notification.

(a) Access to information may be granted to a person in any of the following ways:

1. If the information is in existence, a reasonable opportunity to inspect and study the information;
2. Provide a copy of the information;
3. If the information can be heard or viewed with or without the assistance of another device, provide a reasonable opportunity to hear or view the information;
4. If the document is in the form of shorthand writing or in recorded form, provide a transcript of the same.

(b) Where an applicant requests access to a particular form as stated in one of the ways established in sub-section (a) and that particular form is appropriate, then the information must be granted in that form.

(c) Notwithstanding subsection (b) of this section, access may be granted in a form different from the manner requested if the following is encountered in granting access in the form requested by the applicant:

1. If the work to provide the information in the requested form would delay or would occur a difficulty to the general functions of the State Institute;
2. Where, at the moment of disclosure, providing the information, in the form requested, it would be detrimental to the information in its original form, or if it may be difficult for the preservation of the information in its original form.
3. If it would involve an infringement of copyright.

(d) If access to information is granted in a manner different from the manner in which it is requested as in subsection (c) above, and it involves an increase in the applicable charge, the applicant must then be made to understand the rise in the charge, and access to information may not be granted unless the applicant consents to receive the information for that increased charge.

(e) If the information is in more than one language then, among all the languages it has been prepared, it must be provided in the language, requested by the applicant. Notwithstanding this principle, where the information is prepared in Dhivehi or English Language or both, providing the information in any of these two languages shall be deemed as having complied with this provision.

The right to
request to correct

16.

Where after having examined or being given a copy of a piece of information, the applicant under the following

information regarding a person

circumstances informs the State Institute that the information requires correction, the State Institute shall after verification, amend the records appropriately if:

- (a) The information contains personal information of the applicant;
- (b) The information has to be used for administrative purposes in that particular State Institute;
- (c) The information is according to whom it relates to, incorrect, untrue, incomplete, or misleading.

Refusal to amend records in a State Institute 17.

Where an application is made for amendment of records held by a State Institute, the institute in receipt of such application may decide not to amend the records accordingly if:

- (a) The State Institute is confident that the information is complete, correct and not substantially misleading,
- (b) The State Institute is confident that the application to amend the records contains incorrect or misleading information,
- (c) The procedure for amendment of the information to which the application for amendment relates is specifically provided in a statute, and the given procedure was not followed.

Requirement of annotations 18.

Where a person makes an application for amendment of information relating to him claiming that the information in the State Institute is incorrect, untrue or incomplete and where the State Institute decides not to amend that information under this regulation, the applicant may request for an “annotation” to be included in that information

- (a) Specifying that certain details in the information are claimed to be incorrect or

untrue or misleading from the applicant's perspective; or

- (b) Where the information is untrue or incorrect, those details which according to that person would make the information, correct or complete.

Charging Fees
for the service

19.

- (a) Under this Regulation, a State Institute can charge a fee to provide information as per the following:

1. 1 MRF (one Maldivian Rufiyaa) per page including the price of the paper and the Xeroxed.
2. 5 MRF (five Maldivian Rufiyaa) per Compact Disc if it is to write a CD
3. Should the party that wants the information provide papers, then it should be charged 0.25L (twenty five Laari) to each side Xeroxed.
4. 2 MRF (two Maldivian Rufiyaa) per page for printing from Computer.
5. 10 MRF (ten Maldivian Rufiyaa) per side if it is a color print.
6. No fees should be charged if the party provides a flash drive, pen drive, hard disc or CD and the information could be copied to that resource.

- (b) Notwithstanding the imposition of fees, applicants shall be provided the information free of charge where a State

Institute fails to comply with the specified time limits.

- (c) Notwithstanding the imposition of fees in this Regulation, except for the fees charged for the expenses of that State Institute, no fees shall be charged for the work and services provided.
- (d) Where the information sought from a State Institute is accessible information under this Regulation, upon request for such information, the State Institute must not spend any amount in replicate the information before informing the applicant.
- (e) The principles prescribed in the subsection (a) of this section are not applicable to people with disabilities.

Giving
Precedence to
Public Interest

20.

- (a) Every section of this Regulation shall be read or interpreted to accommodate and maintain the principles prescribed in this Regulation and without imposing limitations to the said principles.
- (b) Notwithstanding the exemptions specified in any section of this Regulation, a State Institute should disclose information upon request where the greater public warrants the disclosure of such information, rather than denial of access and where the interest protected by non-disclosure is outweighed by the interests of the larger public or the exertion that may raise outweigh the benefit that may raise upon such disclosure.
- (c) Where access to certain information sought for under this Regulation is not granted citing detrimental reasons of public interest, the following grounds shall not

be regarded as justifiable reasons that would erode public interest:

1. The information contains such details if disclosed to the public may make it difficult for the concerned State Institute to be answerable;
2. The information contains such details that may undermine public confidence in the concerned State Institute;
3. The information contains such deletions, which may adversely impact the comprehension of the remaining details.

Partial Disclosure
of Information

21.

Where an application is made for access to information, and part of that information is exempted from disclosure under this Regulation, having removed the exempted part, the remaining part of the information shall be released.

Information
received in
confidence

22.

The following information under this Regulation shall be exempt from disclosure :

- (a) Information, disclosure of which is an offence under any law of Maldives;
- (b) Information, disclosure of which could cause action for breach of confidence to be filed against the government, or
- (c) Information, disclosure of which could prevent the government from obtaining such information in the future.
- (d) The following information, where disclosure may not be in the best interest of justice and fairness:
 1. Details whose disclosure could have a substantial adverse impact

on the ability of government to manage or administer the economy of the State,

2. Information, if prematurely disclosed could adversely affect a person or group of persons,
3. Where disclosure of certain information would detriment the privilege of a judicial court or that of the People's Majlis,
4. Information, related to a trial the proceeding of which were, according to judicial proceedings, not open to the public,
5. Personal or legal or judicial information relating to a child who has not attained the age of 18 (eighteen), the disclosure of which may harm the child's person or dignity,
6. Information concerning sexual abuse and other such offenses perpetrated against women or children below the age of 18 (eighteen), the disclosure of which may identify the victim or harm the victim's person or dignity.

Personal
Information

23.

- (a) Where the information to be disclosed by a State Institute concerns the personal information of a third person, the State Institute shall not disclose the information without the consent of the third party.
- (b) Notwithstanding subsection (a) of this section, where the disclosure of the third person's personal information is in the interest of maintaining public interest, for that reason, that information can be

disclosed with the authority of the Review Committee set up in the State Institute under this Regulation.

- (c) If there is a difficulty in making a decision on dissemination the information stipulated in the subsection (a) and (b) of this section, the matter shall be consulted with the Information Commissioner.

Legal Privilege

24.

- (a) Where the information to be disclosed is that of an investigation conducted under law or trial proceedings at court enjoying legal privilege, the State Institute has the discretion not to disclose such information.
- (b) Notwithstanding subsection (a) of this section, where the beneficiary of the legal privilege waives that privilege, the provision prescribed in this section shall not apply thereafter.

Discretion of
non-disclosure of
information on
Business Affairs

25.

Where disclosing the following types of information would result in irrevocable damage, the State Institute has the discretion of non-disclosure:

- (a) Where the information was gathered on an agreement of confidentiality or where there is a trade secret or Information, if disclosed would have a detrimental impact on the business or financial interest of the third party;
- (b) Where the information was sought or received or known through a relation formed with another country or through an international body by an agreement or by an exchange of verbal or written correspondence, and where disclosing that information would or may adversely affect

the relation established by Maldives with that country of body.

- (c) Where the information requested is that which was received or utilized or maintained in connection with an official mandate carried out by a State Institute, and concerns an agreement or transaction made between two private individuals or between two companies, and where that information, if disclosed, would reveal secrets of personal or financial or debt or business matters.

Discretion of non-disclosure of information on Health and Protection

26.

Where disclosure of a request to access information would endanger a person's health or life or physical safety, the State Institute has the discretion of non-disclosure.

Information exempted

27.

- (a) Following information are exempted from the applicability of the Regulation:

1. Information containing details that could prejudice an ongoing investigation of an alleged breach of law;
2. Information that may expose the identity of a confidential source of information;
3. Information that needs to be kept confidential for the enforcement or administration of a legislation;
4. A document that could endanger a person's life or physical safety;
5. Information that could prejudice a person's right to fair trial on an ongoing proceeding;
6. Information that could prejudice the effectiveness of a lawful

method or procedure for preventing, detecting, investigating, or dealing with acts constituting breach of law,

7. Information that could endanger the security of a building, structure, vessel or vehicle,
8. Information that could impede the arresting of a person accused of an offences, or information that could facilitate a person's escape from custody.

(b) Following information shall not be withheld under subsection (a) of this section:

1. Information that could reveal that the scope of a law enforcement investigation had exceeded limits defined by law;
2. Information containing set of general principles adhered to by a law enforcement agency in dealing with alleged breaches of law;
3. Information relating the degree of success achieved in programs, designed to stop the breach of law;
4. Information made known to the person under investigation as per the normal procedure.

Obligatory
Information on
Administering the
Law

28.

Where disclosing the following types of information would result in irrevocable damage, every State Institute has the discretion of non-disclosure:

- (a) The ability to administer justice;
- (b) The ability to impose a lawful tax or duty and the ability to determine whether such a tax needs to be taken;

		(c)	The ability to administer the rules governing immigrants entering Maldives;
		(d)	The ability to determine, in a particular case, whether civil or criminal charges has to be filed, or whether legal measures have to be taken.
Discretion of non-disclosure of Information on Defense and Security	29.	(a)	Where disclosure of a piece of information, containing details that would endanger national security as interpreted within the scope of the Constitution, would result in irrevocable damage, the State Institute has the discretion of non-disclosure.
		(b)	Notwithstanding subsection (a) of this section, the provision mentioned in this section will not apply to the following: <ol style="list-style-type: none"> 1. Information concerning administrative and management matters. 2. Information concerning projects issued on a contract basis or through tender bids. 3. Information concerning hiring and dismissal of employees. 4. Any other such information, the disclosure of which will not endanger national security.
Information on Public Economic Interest	30.		Where disclosing the following types of information would result in irrevocable damage, the State Institute has the discretion of non-disclosure: <ol style="list-style-type: none"> (a) Information concerning the ability of the government to manage the economy of the country in a beneficial manner; (b) Information concerning legitimate financial or commercial interest of a State Institute.

Information on
Policymaking and
Enforcement

31.

(a) Where disclosing the following types of information would result in irrevocable damage, the State Institute has the discretion of non-disclosure:

1. Information that would obstruct the result-based planning policy of government in a manner that achieves the goal;
2. Information, where the premature disclosure of which, would be prejudicial to the benefit of implementing administrative policy;
3. Information relating to a matter, the disclosure of which would impede appraising or testing or auditing procedure.

(b) Compliance to subsection (a) of this section shall not be applied to the following;

1. Technical information.
2. Statistics, and;
3. Research and analytical information.

Cabinet Records

32.

(a) Any State Institute has the discretion to not disclose the following information:

1. A document prepared for submission to the Cabinet;
2. A document submitted to the Cabinet;
3. A draft of a document prepared for submission to the Cabinet; or a copy or a replicated document submitted to the Cabinet;

4. Information, the disclosure of which would reveal details of deliberations and decisions in the cabinet and the identity of the speaker.

(b) From the documents mentioned in subsection (a) of this section, cabinet documents are not exempt in following circumstances:

1. Documents, consisting of administrative details, financial details, or statistical details which is prepared for submission to the Cabinet or for discussion in the Cabinet,

2. Information, concerning a matter submitted to the Cabinet and of which its deliberations have been concluded;

3. A document, where 10 (ten) years have lapsed since its submission to the Cabinet.

(c) For the purpose of this section the reference to the Cabinet includes Cabinet Committees and Sub-Committees.

Time Limitations 33. The provisions prescribed in sections 22, 26, 27, 28, 29 and 30 of this Regulation shall not apply to information which have attained 10 (ten) years.

Procedure to follow in disclosure of information relating to a third party 34. (a) Where a request for information of a third party, that is protected by sections 23, 24, 25 and 26 of this Regulation is received by a State Institute, and where the Information Officer of those State Institute intends to disclose it, the third party must be notified within 5 days of receiving the

request, that such information is intended to be disclosed.

- (b) Where the third party receives a notification of disclosure as according to subsection (a) of this section, and where there is an objection to that disclosure, the Information Officer must be informed orally or by writing within 7 days following the date of notification.
- (c) In deciding to disclose, the said information, the Information Officer, having considered the reasons for objecting to disclose by the third party, can decide to disclose or not disclose the information.
- (d) Where the Information Officer decides to disclose the information despite the objections from the third party, the third party must be notified in writing that the information has been disclosed and the reasons for its disclosure. The Information officer must also state in the said notice that where the third party is unsatisfied with the decision, he has the right of appeal as according to section 42 of this Regulation. The notification must also specify the contact details of the appeal authority.
- (e) The Information Officer shall disclose information the disclosure of which is objected by the third party, after having the approval of the Appeal and Review stage. Without the approval of the Review Committee, the Information Officer shall not disclose the information objected by the third party.

How to Utilize the Regulation	35.	The Information Officers shall compile and prepare a practical guide, in an easily comprehensible, accessible manner, containing information accordingly with the Information Commissioner's advice on how to gain access to information as according to this Regulation, and make it available as widely as possible.
Information Officer	36.	<ul style="list-style-type: none"> <li data-bbox="768 430 1433 882">(a) The highest ranking official of every State Institute must designate Information Officer(s) in their respective State Institute having the responsibility to provide information to the public requesting for the information under this Regulation. And the names, designations and contact details of the Information Officers, must be disseminated as widely as possible and must be publicly accessible. <li data-bbox="768 892 1433 1344">(b) If there arises a circumstance where there is no designation of the Information Officer(s) as stipulated in the subsection (a) of this section due to not consisting of sufficient employees in that State Institute, the highest authority of that Institute shall bring the matter to the attention of the Information Commissioner and thus decide a manner to designate an Information Officer to that State Institute. <li data-bbox="768 1354 1433 1711">(c) If the Information Commissioner specifies that a State Institute shall not appoint Information Officer(s) or Review Committee due to inadequate amount of employees, the Parent Institute of that State Institute shall arrange Information Officer(s) and Review Committee to disseminate information from that Institute. <li data-bbox="768 1722 1433 1856">(d) As mentioned in the subsection (a) of this section, apart from disclosing information to the public, Information Officer(s) that

are designated by each state institute must send the following information to the information commissioner in writing within 30 (thirty) days of being designated to that post.

1. Full name and Common name
2. The official post that is held in the State Institute
3. Contact number
4. E-mail Address
5. Return address

(e) Information Officer(s) shall be designated among the employees that are not of the Seniors of the State Institute. For the purpose of this Regulation Seniors are defined as Directors or all other posts that are senior to that level.

(f) In addition to the tasks assigned under this Regulation, the Information Officers shall undertake the following:

1. To maintain, archive and to formulate policies and principles on disclosing information of the State Institute with the opinion of the Review Committee and the Information Commissioner in order to administer and encourage the implementation.
2. Each Information Officer of a State Institute shall bear the highest responsibility of disclosing information requested under this Regulation, and for assisting individuals seeking to obtain information, and to make decisions regarding requests made under section 11, 12, 13, 14 and 15 of this Regulation.

- (g) In undertaking the tasks assigned to the Information Officer, he may request assistance from other employees at the State Institute, in order to ensure the maximum achievement of the objectives of this Regulation.
- (h) Where the Information Officer sought assistance from any employee in the State Institute in accordance with subsection (g) of this Regulation, such assistance must be provided. And where a breach of this Regulation had taken place for the purpose of the investigation, such employee shall be deemed as the same as an Information Officer.
- (i) Since the work of the Information Officer consist of abundance and of sensitive responsibility apart from the work of the actual post of that employee, this Regulation does not prohibit to reduce the duty of the actual post of that employee after consulting the Civil Service Commission. Or if the work cannot be reduced, this Regulation does not prohibit seeking opinion from the Civil Service Commission and Ministry of Finance and Treasury in order to obtain a service allowance to the Information Officer(s).

Proactive
Disclosure

37.

- (a) For the purpose of public interest the information related and not limited to the following shall continue to publish annually, or in shorter period, decided by that State Institute, on an easily accessible manner although no one has requested for it and the Information Commissioner shall be notified about it at least twice in a year.

1. Details of the functions, responsibilities, structure and duties of the State Institute;
2. Details of direct services provided or being provided to the public.
3. Details of the mechanism of lodging a complaint at the State Institute in connection to a matter undertaken by that office, and details of the number of complaints received thus far;
4. Easily comprehensible details of how documents are managed;
5. Information held or maintained by the State Institute, and the nature of its general publications, together with information on the procedure to follow to request for information;
6. Details of decisions taken that would affect the public and the reasons for those decisions, their implications and details of their background;
7. The manner in which suggestions and criticisms on decision-making can be exercised by the public and influenced in relation to the policies of those functions carried out by the State Institute;
8. The budget allocated to the State Institute, indicating the particulars of all plans, proposed expenditures and details of disbursements made;
9. The individual remuneration and benefits received by all the employees of the State Institute;

10. The norms followed by the State Institute for the discharge of its functions;
11. The stages and procedure followed in the decision making process of the State Institute, and the mechanisms for supervision and accountability.
12. The responsibilities and duties of high ranking officials of the State Institute, their powers and scope of discretion, and procedure followed in decision making within that scope;
13. The rules, regulations, policies, principles and norms used by the State Institute for discharging its responsibilities;

- (b) For the purpose of this Regulation if the information mentioned in the subsection (a) of this section is published on the website of the State Institute or in the Government Gazette, or in the noticeboard of that Institute or in any other place where general public can access, it shall be considered as publication.
- (c) Notwithstanding subsection (b) of this section, and as mentioned in subsection (a) of this section, the Information Commissioners Office shall be notified immediately after the regulations have been published on the website or Government Gazette or in any other general form where public can get to access. If not notified at least once a year, the Information Commissioner has the discretion of not considering it as publication of information.

Advice of Information Commissioner	38.	If State Institutes requests for advices from Information Commissioner concerning publishing information, the Information Commissioner shall offer the advices. If the request is made orally, advices shall be offered orally on the same day as the request was made and if it was requested in writing, the advice shall be given to the party in not more than 5 (five) working days in writing.
Norms to be followed in the duty of information dissemination	39.	The information commissioner shall determine the minimum and maximum standards to be followed by the State Institute in disclosing information and shall publish it on the Government Gazette and on the website of the Information Commissioner's Office.
Managing Information	40.	<p>(a) Each State Institute shall manage its information in a manner that would enable easy discharge of the duty of information disclosure and must follow the general norms relevant to this function.</p> <p>(b) Where a person needs correction of an incorrect point included in a person's information, each State Institute must provide reasonable policies to enable the correction within 180 (one hundred and eighty) days after this Regulation has generally been published.</p> <p>(c) Within a year after this Regulation is generally published, the Information Commissioner, having consulted with the State Institute and the Maldives National Archive, must publicly announce and publish the general norms the State Institute must follow in managing information securely, archiving, disposal and disclosure.</p>
Training and giving corporation	41.	(a) For the purpose of implementing the Regulation fully, the Information

to the
Employees

Commissioner is responsible to provide, the designated relevant staff at each State Institute, suitable training on the right of information and on the provisions prescribed in the Act.

(b) To accomplish the responsibilities mentioned in the subsection (a) of this section, each State Institute shall provide the full utility and support to the Information Commissioner.

Review
Committee and
Review Procedure 42.

(a) Each State Institute shall set up a Review Committee with the task of examining and reviewing complaints lodged by those unsatisfied by the decisions of the Information Officer or Information Officers.

(b) The Review Committee must consist of not less than 3 (three) and not more than 7 (seven) members.

(c) Notwithstanding subsection (b) of this section, if the Information Commissioner specifies that a State Institute shall not appoint its Review Committee due to inadequate amount of employees, the Parent Institute shall be responsible to arrange a Review Committee to that State Institute.

(d) The Review Committee mentioned in the subsection (a) and (b) of this section, must consist of those that are higher in rank than that of the Information Officer('s').

(e) The State Institutes shall give priority to exclude as much as possible employees in political positions for the Review Committee mentioned in the subsection (a), (b) and (c) of this section. This Regulation does not prohibit including employees in political positions in the Review Committee when there is an

inadequacy of regular employees in the State Institute.

- (f) For the purpose of this regulation, Civil Service employees, Public Service employees, Presidential Service employees, Judicial Service employees and employees of uniform body's designations are considered to be non-political designations.
- (g) Where there is a party dissatisfied with the decision made by the Information Officer(s) of a State Institute, a submission may be made to the Review Committee of the State Institute requesting a review of the decision, within 30 (thirty) days from the date the decision was made or should have been made.
- (h) The Review Committee mentioned in subsection (a) of this section, shall not accept a complaint to be reviewed, after the lapse of the period mentioned in subsection (b) of this section, where the Committee believes there is no reasonable justification for the delay.
- (i) Where the complaint submitted concerns the information of a third party, a decision on that complaint must be reached after having heard the third party.
- (j) The, complaints submitted to the Review Committee must be reviewed within 30 (thirty) days. Where the review is not completed within this period, due to a special circumstance, in accordance with this regulation it does not prohibit to take an addition of 15 (fifteen) days.
- (k) The Review Committee, having examined and reached a decision about a submitted complaint shall initiate to notify its decision to all concerned parties in writing within 30 (thirty) days.

Submission of Report to the Information Commissioner	43.	<p>(l) For the purpose of flexible administration of the Review Committee, it is the responsibility of the head of that State Institute to appoint a Chairperson among the Review Committee members.</p> <p>Each State Institute must, once a year, under the initiative of the Information Officer of that State Institute, compile an annual report at the end of the year and submit it to the Information Commissioner. This report shall be sent after the ending of each year and before 31st January of the next year based on, but not limited to, the following information:</p>
Information Commissioner's Office	44.	<p>(a) The number of applications received, the number of applications answered, the number of applications for which access was provided for the requested information and the number of applications for which access to the requested information was not granted;</p> <p>(b) The section or provisions of this Regulation invoked the most in order to refuse a request for information;</p> <p>(c) The number of appeals made following refusal to access to information;</p> <p>(d) The amount of fees and their total;</p> <p>(e) Activities and tasks carried out proactively in order to comply with the duty of information disclosure;</p> <p>(f) Activities and tasks carried out for information management;</p> <p>(g) Activities and tasks carried out for the purpose of training the employees.</p> <p>(a) To safeguard the Right to Information, the enforcement of the RTI Act and the essential steps that need to be taken shall be taken by the Information Commissioner's Office under the full</p>

supervision of the Information Commissioner.

(b) The Information Commissioner's Office is an independent legal entity of the State of Maldives possessing a separate seal, having the right to sue and be sued in its own name having the right and discretion to communicate in its own name.

(c) The address, telephone number, fax number and email address of Information Commissioner's Office shall be published in the Government Gazette by the Information Commissioner.

Accountable to People's Majlis 45. The Information Commissioner shall appear before the People's Majlis or any of its relevant Committees if required to do so at any time. And the Information Commissioner must answer the questions put before him by the People's Majlis or Committees, to the best of his knowledge truthfully.

The hiring, transfer and dismissal of employees of the Office 46. For the purpose of the responsibilities and tasks assigned and to execute the associated Acts and Regulations, the Information Commissioner has the discretion to delegate additional employees to the Information Commissioner's Office, to train, promote and dismiss them. And this discretion shall be used without breaching the allocated budget for each year passed by the People's Majlis to run the Office.

Financial duties of the Information Commissioner 47. (a) The State Treasury shall provide the necessary funds from the annual budget approved by the People's Majlis for the Information Commissioner to undertake fully the responsibilities of the Office. In order to do so, allocate a budget to the Information Commissioner's Office with the consultation of the Ministry of Finance and Treasury and send the details along with the State budget to the Ministry of Finance and Treasury before the given

date to submit to the People's Majlis every year.

- (b) The Information Commissioner's Office shall not utilize the financial assistance provided by persons or an organization or a foreign government, for any purpose except that of achieving the objectives of the office.
- (c) After auditing and preparing the financial statement regarding the Information Commissioner's Office's income, expenditure, assets and the financial responsibility with the consultation of the Auditor General and in accordance with the Regulations formulated by the Auditor General, the composed financial statement shall be submitted to the President and the People's Majlis along with the annual report stipulated in subsection (a) of Section 49 of this Regulation.

General Powers

48.

In addition to undertaking the responsibilities specified in this Regulation, the Information Commissioner has the following powers:

- (a) To examine and report the extent to which this Regulation and Act No: 1/2014 (Right to Information Act) is administered by State Institute;
- (b) For the purpose of reforming matters related to information dissemination, to identify what general improvements can be made without singling out a particular State Institute, and identifying certain acts that can be carried out by a specific State Institute;
- (c) To participate, run and cooperate in providing training programs for Government employees, for the purpose of

- administering the Act and the Regulation mentioned in subsection (a) of this section.
- (d) Where breaches of this Regulation are deemed to have taken place, to inform the relevant authorities;
 - (e) To publicize the purpose and objectives of this Regulation and to widely publicize the rights provided to individuals under this Regulation and to inform them of these rights.
- (a) The Office of the Information Commissioner shall prepare and submit an annual report based on the activities of the Information Commissioner's Office, before the end of February to the President of the Republic of Maldives and to the People's Majlis.
 - (b) The annual report stipulated in subsection (a) of this section shall contain the following activities over the reporting period:
 - 1. Work carried out by the Information Commissioner within the year;
 - 2. Expenditure statement audited by the Auditor General or by a chartered or public accounting firm approved by the Auditor General.
 - (c) The Office of the Information Commissioner shall publish the Annual Report stipulated in subsection (a) of this section on the website of that Office within 14 (fourteen) days of submitting the report to the President and the People's Majlis.
 - (d) Notwithstanding subsection (a) of this section, on a case the Information Commissioner deem relevant, this Regulation does not prohibit the Commissioner submitting a special report

relating to that case, to the President and the People's Majlis.

Immunity of Information Commissioner 50. The Information Commissioner or any person to whom the power is delegated by the Information Commissioner shall not be subject to any civil or criminal measure, for any action or omitting to act in good faith, in undertaking the responsibilities of the official duties. And the information exchanged under this Regulation is privileged unless it is proven that there is bad intention. No action for defamation may take based on that Information.

Appeal to the Information Commissioner 51. (a) Where there is a party dissatisfied with the decision reached by the Review Committee mentioned in Section 42 of this Regulation, after the review, the party may appeal the matter to the Information Commissioner, within 90 days from the date the decision was made or should have been made. (b) The Information Commissioner has the power to accept an appeal, even after the lapse of the period mentioned in subsection (a) of this section, where the Commissioner believes there is a reasonable justification for the delay.

Lodging Complaints to Information Commissioner 52. Without subjecting limitations or omissions to the provisions mentioned in section 15 of this Regulation, an applicant making a request for information, has the power to appeal directly to the Information Commissioner, in the following circumstances:

- (a) Where the applicant is unable to access information from a specific State Institute, because no Information Officer has been appointed to that State Institute;
- (b) Where an Information Officer of a State Institute refuses to receive an application of request for information without reasonable justification;

Power to refuse
appeals 53.

- (c) Where the Information Officer refuses or neglects to provide a receipt notifying that the request has been duly applied under this Regulation;
 - (d) Where the Information Officer fails to comply to a request for access to information within the time limits required under this Regulation;
 - (e) Where the Information Officer or the State Institute refuse to comply with the directive issued by the Information Commissioner;
 - (f) Where the Information Officer or the State Institute breach the procedure in this Regulation regarding access to information.
- (a) The Information Commissioner has the power to refuse appeals lodged before him as under section 52 of this Regulation, in the following circumstances:
1. Where the appeal has no substantial basis;
 2. Where the appeal relates to a matter too trivial to be examined;
 3. Where the procedure prescribed in section 42 of this Act has not been fully followed in finding a remedy to the complaint.
- (b) Where the Information Commissioner decided the he must accept a complaint lodged under this section, having examined the complaint in person or by a party decided by him, the Information Commissioner has the power to reach a decision on the complaint in accordance with this Regulation.

Procedure to
follow in appeals
and complaints

54.

- (a) In proceeding with complaints or appeals lodged before the Information Commissioner, the State Institute to which the Information Officer is attributed, has the onus of establishing the following:
 1. That the information requested was refused based on a provision prescribed in the Law; or
 2. That the State Institute has adhered to that prescribed in this Act.
- (b) All appeals and complaints lodged before the Information Commissioner, in accordance with this Regulation, shall be examined and completed within 30 days. Where the examination and reaching a decision regarding the complaint or appeal is unfinished for any reason within the time limit, having notified the applicant who made the complaint or appeal with reasons, the Information Commissioner has the power to add additional 15 days to the process.
- (c) Where the complaint or appeal submitted to the Information Commissioner concerns information protecting the interest of a third party, the third party has the right to be heard.
- (d) Unless otherwise stated in this section, all proceedings related to a complaint or appeal must be conducted in open sittings.
- (e) Notwithstanding subsection (d) of this section, in circumstances where information exempted from disclosure under this Regulation, is to be examined in connection with a complaint or appeal lodged under this Regulation, the Information Commissioner may examine such information in a confidential sitting or sitting closed to the public.

Powers vested in
Information
Commissioner

55.

- (f) The decisions reached by the Information Commissioner must be announced in an open sitting.
- (g) Having examined an appeal or complaint lodged before the Information Commissioner, the decision reached, must be notified to all concerned parties.

The Information Commissioner shall have the discretion and following powers in relation to an appeal or complaint lodged before him under the of Right to Information Act:

- (a) To summon the concerned persons;
- (b) To obtain statements from those summoned;
- (c) To collect testimony from those willing;
- (d) To request for information;
- (e) To request for documents;
- (f) To order to provide documents;
- (g) To order to provide information;
- (h) To order to provide a specific document or specific information to the Information Commissioner;
- (i) To investigate and review a specific piece of information;
- (j) To obtain evidence;
- (k) To obtain evidence in writing;
- (l) To obtain testimonies in writing;
- (m) To order a State Institute to provide information held in its office;
- (n) To summon a specific person, who having being identified as a witness;
- (o) Having specified a given document, to order to submit that document;
- (p) To enter a State Institute
- (q) To examine and search a given State Institute for the purpose of obtaining a relevant piece of information, and where that information is found, to withhold the

document or the source in which the said information is found;

(r) To order to appoint Information Officer(s) and Review Committee(s);

(s) To recognize State Institutes which are relatively small in size to appoint Information Officer(s) or Review Committee and in such circumstances declare not to appoint them;

(t) To submit cases to Prosecutor General's Office for the prosecution against the parties that disallow or does not cooperate with the obligatory responsibilities of the Information Commissioner that are stated in this Regulation;

(u) To request the Maldives Police Service or Human Rights Commission to investigate, if there need be a case where there is a party that has breached the Right to Information Act or this Regulation which is made with power vested from Right to Information Act.

How decisions are reached with regards to complaints or appeals

56.

(a) Having examined a lodged appeal or complaint under this Regulation, the Information Commissioner, can settled the matter in the following ways:

1. That the complaint or appeal is of no substantial basis;
2. To order to appoint an Information Officer within a given period of time if there is no Information Officer appointed in a State Institute;
3. To order to appoint another Information Officer in exchange of the existing Information Officer within a given period of time,

where the Information Officer of a State Institute is incapable of fulfilling the responsibilities of the Post;

4. To order a State Institute to disclose a specific piece of information;
5. To order a State Institute to release a specific piece of information;
6. To order to release a specific piece of information in the format requested by the person who made the request;
7. To order the release of a specific piece of information requested by a specific person, in a reasonable format other than that requested by the applicant;
8. To determine that the decision reached by a State Institute in relation to a complaint submitted is correct;
9. To order the dissemination of a specific piece of information or a specific class of information;
10. To order to strengthen the document management system of a State Institute, or to order to reform relevant procedure;
11. To fine any Information Officer who has breached provisions of this Regulation;
12. To fine any party who breached a lawful order given by the Information Commissioner;
13. To order a State Institute to take disciplinary measures against an Information Officer, of that State Institute, repeatedly breaching

provisions prescribed in this Regulation;

14. To order the police to investigate any case of any person alleged to have committed an offence prescribed under this Regulation, and where, after the police investigation, the Information Commissioner finds legal action should be brought against the person, to send the case to the Prosecutor General.

(b) The fines mentioned in subsection (a) 11 and 12 of this Section shall be confirmed by the Information Commissioner with an amount not more than the amount mentioned in Section 63 of this Regulation.

(c) Unless overturned by a verdict of a Judicial Court, a decision reached by the Information Commissioner in accordance with this Regulation, shall be regarded as valid a decision and are obligatory to comply with.

Investigations under own initiative 57.

(a) In circumstances where the Information Commissioner identifies that a State Institute does not carry out its functions in accordance with this Regulation, the Information Commissioner, has the power to initiate his own investigations and reach a decision regarding the matter, even in the absence of a specific appeal or complaint by any aggrieved party.

(b) The Information Commissioner must complete any investigation carried under subsection (a) of this section in reasonable time, and having completed, must take measures in relation to the case, from

among the measures prescribed under section 63 of this Regulation.

- (c) Where, after having investigated a case as according to subsection (a) of this section, a specific State Institute is found to have discharged its functions contrary to this Regulation, the Information Commissioner must order that State Institute to correct them. The Information Commissioner must also order the said State Institute, the measures to be taken in order to correct them.

Delegating Power 58.

- (a) The investigative powers vested in the Information Commissioner under sections 61, 63 and 65 of this Regulation, can be delegated to another capable party decided by Information Commissioner, in writing.
- (b) Notwithstanding subsection (a) of this section, the powers of reaching decisions in appeals, and powers ordering correction or reform vested in the Information Commissioner under this Regulation, may not be delegated to another party.

Appeal Powers 59.

- (a) Where there is a party unsatisfied with the decision reached by the Information Commissioner as under this Regulation, the party may appeal the matter to the High Court, within 10 days from the date the decision was made or should have been made. And in any such appeal proceedings, the appellant has the onus of establishing that he followed the law correctly in his suit against the Information Commissioner. (Supreme Court Ruling No: 2015/SC-RU/02)
- (b) A judicial court may only probe a decision made by the Information Commissioner under this Regulation, in the appeal stage prescribed in this section.

Complying to Decisions	60.	Where 45 (forty five) days have elapsed, without a party neither appealing nor complying with a decision made by the Information Commissioner, the Commissioner has the power to submit the matter to the Office of the Prosecutor General, requesting to send the matter to a judicial court to take action against the party in accordance with the legal procedure for disobeying an order lawfully issued.
Not being held liable	61.	<p>(a) A person, having gained information of a wrongdoing regarding a breach of a Law or Regulation, may not be subject to any disciplinary measures or punishment, regardless of any breach of a legal, administrative or employment obligation on his part, for releasing information on the wrongdoing. This is subject to him having acted in good faith to disclose the wrongdoing, and without having any other interest or wrong intention in the matter.</p> <p>(b) A person may not be subject to any civil or criminal measure or subject to punishment, for releasing information on an illegal act or an offense, or an act of corruption, or information regarding the potential to commit such an act, or place of such an act by a party.</p> <p>(c) No action for defamation or breach of duty of confidentiality may lie against a person in a State Institute who in processing a request to access information under this Regulation, who believes, in good faith that access may duly be granted to such Information under the Regulation.</p> <p>(d) No offense may lie against a person or an assistant, in a State Institute who decided to provide a request to access information under this Regulation,</p>

believing in good intention that access may duly be granted to such information under the Regulation.

- (e) Where an act or undertaking of a State Institute was found to be conducted in good intention, in order to administer the provisions of this Regulation, the person who acted as such will not carry any personal liability for his actions.

Exempted from responsibilities. 62.

While having the right intention to fulfill the responsibilities upon a person under this Regulation, there shall not be any chance of that person being subjected to any Civil or Criminal measure in doing so.

Power of Fining 63.

- (a) Where the Information Officer commits any of the following, the Information Commissioner must impose a fine, of not more than MRF 5000 (five thousand).

1. Refusal to accept a request for access to information without justifiable reason;
2. Refusal to provide access to information, without justifiable reason, within the time limits prescribed in this Regulation;
3. Refusal to provide information with bad intention
4. Providing incomplete or misleading or incorrect information.

- (b) The Information Commissioner must order a State Institute to take disciplinary measures against an Information Officer as having repeatedly breached provisions prescribed in this Regulation.

- (c) Where any person commits any of the following, the Information Commissioner has the power to charge a fine of not more than MVR 25,000 (twenty-five thousand).

1. Where the State Institute or the Information Officer obstructs duties to be carried out under this Regulation;
2. Obstruction of the duties to be carried out by the Information Commissioner under this Regulation;
3. Destroying information subject to a request of access under this Regulation, with bad intention;
4. Misappropriation or tempering with information held at a State Institute contrary to the decided procedure.

Applying the law to certain bodies

64.

Associations and Organizations functioning in the Maldives under funds from State budget, or under funds received from a foreign government or under funds from an international body, notwithstanding what is stated otherwise in another Statute or Regulation, shall be applicable to all the provisions that are applicable to the State Institutes under this Regulation. And all provisions of this Regulation that are administered upon State Institutes shall be applied to these bodies to its best level.

Formulation of Regulations

65.

- (a) The procedures necessary to implement the provisions of this Regulation, according to the intentions of this Regulation shall be formulated and enforced by the Information Commissioner.
- (b) In formulation and enforcement of procedures mentioned in subsection (a) of this section, the Information Commissioner must consult those likely to be affected or those that required administering the procedures.
- (c) Without limiting the scope of the discretion vested in the Information Commissioner as under subsection (a) of

this section, the Information Commissioner has the power to formulate and enforce Regulations on the following matters;

1. Further guidelines on information dissemination;
2. Training of employees;
3. Submission of report to the Information Commissioner;
4. Providing of notices as stipulated by the Regulation;
5. Administrative guidelines and norms to be enforced to fully utilize this Regulation and the Act mentioned in provision 1 of this Regulation.

(d) Procedures to be formulated under this section shall be enacted under this Regulation within 3 (three) months from the date the Information Commissioner is appointed and shall be published.

Interpreting

66.

In enforcing, implication, interpreting and translating provisions of this Regulation, the onus shall be on the interest of fully enabling the right to information. And each provision of this Regulation shall be interpreted while giving full precedence to acquire and disclose information.

Definitions

67.

In this Regulation, unless stated otherwise:

- (a) “Information Commissioner” refers to the Information Commissioner appointed under the Act No: 1/2014 (Right to Information Act) or the body or party entrusted with his responsibilities.
- (b) “Information Officer” refers to the employee or employees designated by the highest officer of the State Institute, from among the employees at the State Institute

- who are not among the high-ranking officials, appointed to undertake the responsibilities at State Institute level, mentioned in section 36 of this Regulation;
- (c) “Information” refers to any kind of information, or any information produced at any given date, or any information produced by any party, or any information stored in any device, held and managed by a State Institute, which does not belong to a third party;
 - (d) “Person” shall include natural and legal personalities;
 - (e) “Review Committee” refers to the committee formed under section 42 (a), (b) and (c) of this Regulation, consisting of a minimum of 3 (three) people from among high-ranking officials of a State Institute, entrusted to review an appeal decision made by an Information Officer.
 - (f) “State Institute” shall include the executive, the Legislative, the judiciary, independent institutions, independent institutes, security services and councils elected under the Constitution. Also included are those bodies which take any State responsibilities, those functioning under the State budget, those receiving assistance from the State budget and also the State companies for the purpose of this Regulation;
 - (g) “Information of a State Institute” shall mean the information which is produced, held or managed by State Institute;
 - (h) “Third Party” refers to the beneficiary of the information protected and whose interest the specific sections protect. This definition does not include State Institute and applicants of information.

- (i) “Civil Service Employees” refers to the permanent employees that are employed by Civil Service Commission.
- (j) “Public service Employees” refers to the employees of Independent State Institutes that are employed to work in those Institutes.
- (k) “Presidential Service Employees” refers to the employees that are at the service of the President, Vice President and other employees except for the employees that work in political positions at the President’s Office and Presidential Palace.
- (l) “Judicial Service Employees” refers to the employees whose services are in the area that prevail justice and fairness.
- (m) “Uniform Service Employees” refers to the employees who have a specific uniform such as Maldives Police Service, Maldives National Defense Force, Immigration, Customs and Correctional Service.
- (n) “Superiors of the Office” refers to the employees who are at the level of the Directors or above.
- (o) “Parent Institute” refers to the Institute to which the inferior Institute has to answer or report.

How to take
action when a
matter arises that
is not mentioned
in the Regulation

68.

In case of any matter that is not stated in this Regulation or Right to Information Act arises, the decisions should be taken by the Information Commissioner with the consultation of Attorney General.

Enforcement of
the Regulation

69.

- (a) This Act shall come into force on Monday, 1st of February 2016.
- (b) It is obligatory that all the State Institutes and all the Maldivians to follow this Regulation.

- (c) As this Regulation come into force, the Right to Information Regulation that was enforced on 23rd of November 2014 shall be void.

Application for obtaining information under the “Right to Information Act”

1- Applicant information:

Full Name	Common Name	Present Address	Permanent Address	NID No:

2- Send information to:

Address	E-mail Address(es)	Fax Number(s)

3- Information required from:

.....

4- Details of information required:

.....

5- Reason for obtaining the information: (optional)

.....

6- Declaration:

I hereby, declare that the information provided in this form is true and I shall be responsible to provide any fees that are required under the RTI Regulation to obtain the information requested.

Name ↓	Signature ↓	Finger Print ↓	Submission Date ↓

Contact Number(s) for further inquiries:

-
- **Note:** please submit ID card copy of the applicant along with the form

For official use only:

Form Received By:			
Name	Designation	Signature	Date

Receipt of application

Name and address of applicant	Submitted case or the cause of the application	Date

The form above has been received by this office.

Date received:..... Name: Signature: