

GOVERNMENT NOTICE NO. 507 published on 29/12/2017

THE ACCESS TO INFORMATION ACT  
(No. 6 of 2016)

---

**REGULATIONS**

---

*(Made under section (20))*

---

THE ACCESS TO INFORMATION REGULATIONS, 2017

PART I  
PRELIMINARY PROVISIONS

- |                |   |
|----------------|---|
| Citation       | 1. These Regulations may be cited as the Access to Information Regulations, 2017.   |
| Interpretation | 2. Unless the context otherwise requires:-<br>“Act” means the Access to Information Act, 2016;<br>“information” has the meaning ascribed to it under the Act;<br>“information holder” has the meaning ascribed to it under the Act. |

PART II  
ACCESS TO INFORMATION

- |                                    |   |
|------------------------------------|---|
| Publication of Certain information | 3. Subject to the provisions of section 9 of the Act, an information holder shall establish, maintain, and regularly update a widely accessible holder and user-friendly publication scheme whereby the information holder shall provide detailed information regarding its core functions, nature of its activities and operations and the information it possesses.   |
| Contents of Publication Scheme     | 4.-(1) The publication scheme shall, at a minimum, contain the following:-<br>(a) the full name, designation, functions and contact details of an information officer appointed and maintained by an information holder in accordance with the provisions of section 7 of the Act;<br>(b) clear statement that-<br>(i)describes the nature, organization, functions and powers of the information holder concerned;<br>(ii) explains its decision-making processes; and |

- (iii) discloses agreements or arrangements if any, that it has with third parties relative to the discharge of its functions.
- (c) a fair description of the types and categories of documents and information held by the information holder, the location of the documents and a clear statement of the public right to review, request, receive and retain copies of any such information; and

Compulsory  
Publication

(2) The publication scheme of every information holder shall be widely accessible, and the hard or soft copies of the scheme shall be available at the offices of the information holder and at any other reasonable public places.

5.-(1) Without prejudice to Regulation 4, an information holder shall publish and maintain published certain key classes of information as soon as they are generated or received by the information holder, irrespective of whether a request has been made or not made for them.

2. Subject to sub-regulation (1), the classes of information that shall be published by every an information holder shall include the following:

- (a) the legislation, memorandum or charter that provides for its establishment;
- (b) its existing policies, procedures and rules;
- (c) its budgets;
- (d) the financial accounts of the information holder;
- (e) contracts and their annexes that have been entered by an information holder with third parties;
- (f) its organizational chart, including lines of reporting;
- (g) procedures for appealing decisions of the information holder or its officers; and
- (h) such other information that would enable the public to deal with the authority or to monitor its performance.

Request for  
access to  
information

6. Without prejudice to the provisions of section 10 of the Act, a person requesting access to information shall not be required by an information holder to give any reason for requesting the information or any other personal details other than those that may be necessary for communication with that person.

Severability

7.-(1) Where a request for access to information is rejected on the ground that it is in relation to information which is exempt from disclosure, then, notwithstanding the provision of the Act, access may be provided to part of the information which does not contain any information which is exempt from disclosure under the Act and which can reasonably be severed from any part that contains exempt information.

(2) Where access is granted to a part of an information under sub-regulation (1), an information holder shall give a notice to the applicant informing the following:

- (a) that only part of the information requested, after severance of the information which is exempt from disclosure, is provided;
- (b) the reason for the decision; and
- (c) the name and designation of the person giving the decision;
- (d) his rights with respect to review regarding non disclosure of part of the information.

8.-(1) Where an information holder, intends to disclose the whole or part of the information on a request made under the Act which relates to or has been supplied by a third party and has been treated as confidential by that third party, the information holder shall, within seven days from the receipt of the request-

- (a) give a written notice to such third party of the request and of the fact that the information holder intends to disclose the whole information or part thereof; and
- (b) invite the third party to make a submission in writing or orally, regarding whether the information should be disclosed.

(2) The submission of the third party under these Regulations shall be kept in view while taking a decision about the disclosure of information.

(3) Except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party.

(4) Where a notice is served by the information holder under sub-regulation (1) to a third party in respect of any information or record or part thereof, the third party shall, within seven days from the date of receipt of such notice, be given the opportunity to make representation against the proposed disclosure.

(5) The information holder shall, within thirty days after receipt of the request, if the third party has been given an opportunity to make representation under sub-regulation (2), make a decision as to whether or not to disclose the information or record or part thereof and give in writing the notice of its decision to the third party.

(6) A notice given under sub-regulation (3) shall include a statement that the third party to whom the notice is given is entitled to prefer a review of such decision.

Vexatious or  
repeated  
request

9. Where an information holder has previously complied with a request for information which was made by any person, it is not obliged to comply with a subsequent identical or substantially similar

Press  
Conferences request from that person unless a reasonable interval has elapsed between compliance with the previous request and the making of the current request.

10.-(1) An information holder which is a public authority shall, on monthly basis, organize press conferences to bring to knowledge information of public interest.

(2) In the course of press conference, the information holder shall answer questions on issues of public interest.

Forms (3) An information holder shall be required to inform the general public in due time about the press conferences or any other public actions organized by it.

11. Pursuant to the provisions of section 10 of the Act, any person requesting for information under this Act shall, where practicable, submit application in the form set out in the Schedule to these Regulations.

\_\_\_\_\_

Schedule

\_\_\_\_\_

(Under regulation 11)

## ACCESS TO INFORMATION REQUEST FORM

### A: PERSONAL PARTICULARS

1. Surname: .....
2. First and Middle Name(s): .....
3. Gender: Male ☐ Female ☐
4. Address: .....
5. Phone contact no. (Home): .....  
(Mobile): .....

### B: REQUEST OF INFORMATION

1. Name of the information holder .....
2. Date of filling of a request for information .....
3. Description of the request information .....
4. Indicate whether you would like to inspect the information



and/ or obtain a copy of the information: (*tick(✓) where applicable*)

(i) I want paper copies of documents

(ii) I want electronic copies of documents ☐

(iii) I want to inspect the documents ☐

.....  
.....

Date

Signature of Applicant

**FOR OFFICIAL USE ONLY**

.....  
.....

Dodoma,  
21<sup>st</sup> December, 2017  
*Affairs*

PALAMAGAMBA J. A. M. KABUDI,  
*Minister for Constitutional and Legal*