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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

අංක 2004/66 - 2017 පෙබරවාරි මස 03 වැනි සිකුරාදා - 2017.02.03
No. 2004/66 - FRIDAY, FEBRUARY 03, 2017

(Published by Authority)

PART I : SECTION (I) — GENERAL
Government Notifications

REGULATIONS PROMULGATED UNDER THE RIGHT TO INFORMATION ACT, No. 12 OF 2016

THE following Regulations are promulgated by the Minister under Section 41 (2) of the Right to Information Act, No. 12 of 2016.

GAYANTHA KARUNATHILAKE,
Minister of Parliamentary Reforms and Mass Media.

Ministry of Parliamentary Reforms and Mass Media,
No 163, Kirulapone Mawatha,
Polhengoda,
Colombo 05,
20th December 2016.

Regulation No. 01

This is the First Part of the Regulations promulgated in accordance with the Right to Information Act, No. 12 of 2016

Regulation No. 02

These Regulations shall come into force upon publication in the *Government Gazette* of Sri Lanka.



Regulation No. 03

Procedure of initiating requests for information

01. Every Public Authority should display publicly in its office the following notice in Sinhala and Tamil Languages.

Notice

In accordance with the Right to Information Act, No. 12 of 2016

Requests for Information should be made to the following Information Officer by completing and handing over a request preferably in the manner prescribed in the Form **RTI 01** although this is not mandatory.

Information Officer,

Mr./Ms. (Name) :.....
Designation :.....
Address :.....
ContactNumber :.....
Email :

01. Upon making the request for information either in verbal or written form obtain the written acknowledgment from the Information Officer.
02. The decision whether to grant the information or not shall be given as expeditiously as possible and in any case within 14 days.
03. If a decision is made to provide the information, the information officer will inform the citizen making the request that the information will be provided on the payment of a fee in accordance with the Fee Schedule prescribed by the Right to Information Commission. If the information is subject to payment of fee, the information shall be provided within 14 days of the payment. Information will be provided within 14 days of the decision if there is no requirement to pay a fee.
04. If, after payment of fees the information cannot be provided within 14 days, the person making the request will be informed that there will be a further extension period – up to a maximum of 21 days – to provide the information and given reasons for the extension.
05. When the request relates to the life and personal liberty of a citizen the information officer shall provide a response to the request within 48 hours.
06. An appeal may be made in situations where,
 - i. The Information Officer refuses a request made for information
 - ii. The Information Officer refuses access to the information on the ground that such information is exempted from being granted under Section 5
 - iii. Non -compliance with time frames specified in the Act
 - iv. The Information Officer granted incomplete, misleading or false information
 - v. The Information Officer charged excessive fees
 - vi. The Information Officer refused to provide information in the form requested
 - vii. The citizen making the request had reasonable grounds to believe that information has been deformed, destroyed or misplaced to prevent him/her from having access to the information

An appeal to the Designated Officer is to be made within 14 days.

Designated Officer,

Mr./Ms. (Name) :
Designation :
Address :
Contact Number :
Email :

07. When making an appeal as mentioned in s.6 of this notice, complete and hand over Form **RTI 10**, to the Designated Officer. The RTI 10 Form is not compulsory. A citizen making a request can make the appeal by a letter with the basic information indicated in RTI 10 justifying the appeal.

Regulation No. 04

01. At the onset, requests for information should be made to the Information Officers either through a letter or email giving details necessary to identify the requested information or through filling in and handing over Form RTI 01 to the Information Officer of any Public Authority. Information Officers should render all the necessary assistance, free of charge to the citizens making the requests to formulate their requests. Where a citizen seeks to submit a request for information in any manner, the Information Officer shall provide reasonable assistance to fill out the request in the format of Form RTI 01.
02. Form RTI 01 should be issued free of charge to the citizen, including by being available for electronic download.
03. If a request for information is made in verbal form by a citizen, then the Information Officer will write down the request by filling in Form RTI 01, read it to the citizen making the request and obtain the signature or thumbprint of the citizen. Once completed, a signed, dated copy of the transcribed request will be provided to the citizen making the request.
04. If the citizen makes the request for information through an email or fax, the Information Officer will fill in Form RTI 01 and attach a copy of the said email/ fax to such Form.
05. If there is any mistake or discrepancy in how the request has been made, the Information Officer should immediately communicate such to the citizen making the request and make the necessary corrections.
06. If the request relates to information which the Information Officer is aware is held by another Public Authority, the Information Officer shall duly in written format transfer the request to the concerned Public Authority and inform the citizen making the request accordingly within 7 days from the date of receipt of the request.
07. A Public Authority shall not be required to collect information to respond to a request but it shall not refuse a request on the ground that it does not hold the information where, with a reasonable effort the information may be produced from records held by the Public Authority, using the resources which is normally available to the Public Authority, or again with a reasonable effort, the information may be compiled from different records held by the Public Authority.
08. If the information requested is available in more than one language, the information officer shall provide the information in the language requested by the citizen making the request.
09. If the Information Officer is able to provide the requested information forthwith to the satisfaction of the citizen making the request, he shall provide the information accordingly and maintain a record of the information sought and the response provide in the format prescribed in RTI 03.

Regulation No. 05

Once a request for information is received from the citizen, the Information Officer shall in accordance with Section 24 (3) of the Act issue immediately a written acknowledgment to the citizen making the request in the manner prescribed by RTI 02, and provided to the citizen making the request in the same manner in which he or she filed the request or, if that is not practical, in any other reasonable, practical manner.

Regulation No. 06

Once an application for information is received it shall be registered in the format provided in RTI 03 and provided with a registration number.

Regulation No. 07

If a decision is made to provide the information requested the Information Officer shall immediately and in any case within 14 days send a letter using the format provided in the RTI 04 Form to the citizen making the request. Where a citizen making the request pays a fee to receive information, in accordance with RTI 04, the Information Officer shall provide the citizen making the request with a receipt against that fee.

Regulation No. 08

Where the Public Authority does hold the information but this information is already publicly available, the Information Officer shall, forthwith and in any case within 14 working days, inform the citizen making the request of this fact, indicating precisely where the information may be found (for example, the URL or physical location of the information), notifying the citizen making the request using Form RTI 05.

Regulation No. 09

If the information request is rejected by the Information Officer, then he/she should send a letter using the format provided in the RTI 05 Form to the citizen making the request in accordance with Section 25 (1) of the Act. The exact clause in Section 5 which is being relied upon to reject the request should be mentioned and detailed reasons for rejecting the request should be given.

Regulation No. 10

If a decision is made to provide the information and RTI 04 has been sent, but the information cannot be provided within the 14 days mentioned, the Information Officer shall according to Section 25 (2) send letter using the format provided in the RTI 06 Form within the 14 days to the citizen making the request stating that the time period to provide the information has been extended to a period lasting not more than 21 days.

Regulation No. 11

If the information requested relates to confidential information that was provided by a Third Party, the Information Officer will under Section 29 (1) write to the Third Party using the format provided in RTI 07 and obtain such Third Party's authority to provide or deny the information.

Regulation No. 12

Where information is to be severed, this shall be done in the appropriate manner depending on how the information is being provided (such as blacking out for information which is photocopied or scanned, or removing electronically for information which is provided in that way), but severing may be done, indicating to the citizen making the request what part of the information has been and the exemptions under the RTI Act that have been invoked for this purpose.

Regulation No. 13

Appeals under Section 31 (1) or Section 25 (7) of the Act are free and once an Appeal has been received every Designated Officer should under Section 31 (2) of the Act within 3 working days provide a receipt on the acceptance of such Appeal in the manner prescribed by RTI 08.

Regulation No.14

When an appeal is made under Section 25 (7) and Section 31 (1) of the Act, every Designated Officer should record the Appeal in the manner provided in RTI 09 and duly complete the steps taken in response.

Regulation No.15

If the Information Officer commits any of the grounds of appeal mentioned in Section 31 (1) and/or Section 25(7) of the Act, the citizen making the request may Appeal within 14 days of becoming aware of the ground of appeal to the Designated Officer by filling a Form using the format provided in RTI 10. The Designated Officer may accept an Appeal after the expiry of the fourteen days if he/she is satisfied that there was reasonable cause for the delay.

Regulation No. 16

Once a decision to reject an information request under Section 25 (1) is made and letter using the format provided in RTI 05 is sent to the citizen making the request, the Information Officer is required to keep a record of the details as provided by RTI 11 regarding the decision to reject.

Regulation No. 17

01. Fees for Providing the Information,

Keeping accounts,
Public Authority,

In accordance with the Act, any citizen making the request who pays fees for accessing information shall be given a receipt. The fees collected to provide information shall be recorded in a ledger in the format below.

Registration Number and the Date of Request :.....
Name & Address of Citizen making the Request :.....
Fees paid: Rs :.....
Receipt No. & Date :.....

02. In the case of government, and semi- government institutions fees collected shall be credited as miscellaneous income in the accounts ledger.

03. When fees are reimbursed according to Section 15 (g), they should be debited from the miscellaneous expenditure in the accounts ledger.

Regulation No. 18

The details of every Information Officer and Designated Officer appointed by a Public Authority under Section 23 of the Act should be reported to the Ministry of Mass Media and maintained in a separate register at the Ministry in the format prescribed by RTI 12. The information has to be provided to the Ministry of Mass Media. The details have to be filled in every time there is a change of above mentioned officers. This applies only to State Sector Public Authorities.

Regulation No. 19

Use and Reuse of information

01. Any information disclosed by a Public Authority under this Act is subject to a royalty-free, perpetual, non-exclusive licence to reuse the information.,

02. For purposes of clause 01, reuse includes copying, publishing, translating, adapting, distributing or otherwise using in any medium, mode or format for any lawful purpose.

Regulation No.20

Proactive Disclosure of information

01. In accordance with the power to direct a Public Authority to provide information in a particular form under Section 15(d) of the Act and in keeping with the overriding principle of Proactive Disclosure, all Public Authorities shall routinely disseminate, at a minimum, the following key Information including through a digital or electronic format;
- i. Institutional information: legal basis of the institution, internal regulations, functions and powers.
 - ii. Organizational information: Organizational structure including information on personnel, and the names and contact information of executive grade public official their remunerations, emoluments and allowances.
 - iii. Operational information: strategy and plans, policies, activities, procedures, reports and evaluations including the facts and other documents and data being used as a basis for formulating them.
 - iv. Decisions and acts: Decisions and formal acts, particularly those that directly affect the public including the data and documents used as the basis for these decisions and acts.
 - v. Public services information: Descriptions of services offered to the public, guidance, booklets and leaflets, copies of forms, information on fees and deadlines.
 - vi. Budget information: Projected budget, actual income and expenditure (including salary scales pertaining to the emoluments and related allowances of officers and employees of executive rank and above,) and other financial information and audit reports.
 - vii. Open meetings information: Information on meetings, including which are open to the public and how to attend these meetings.
 - viii. Decision making & public participation: Information on decision making procedures including mechanisms for consultations and public participation in decision making.
 - ix. Information on subsidies: Information on the beneficiaries of subsidies, the objective, amounts, and implementation.
 - x. Public procurement information: Detailed information on public procurement processes, criteria and outcomes of decision making on tender applications; copies of contracts, and reports on completion of contracts.
 - xi. Lists, registers, databases: Information on the lists, registers, and databases held by the public body. Information about whether these lists, registers, and databases are available online and/ or for onsite access by members of the public.
 - xii. Information about information held: An index or register of documents/ information held including details of information held in databases.
 - xiii. Information on publications: Information on publications issued, including whether publications are fee of charge or the price if they must be purchased.
 - xiv. Information about the right to information: Information on the right of access to information and how to request information, including contact information for the responsible person in each public body.
 - xv. Disclosed information: Information which has been disclosed pursuant to a request and which is likely to be of interest to others.
 - xvi. The above information shall include all relevant facts taken into consideration while formulating important policies or announcing decisions which affect the public.
02. In addition to the categories listed in clause 01, Public Authorities shall endeavour to include in their Section 8 reports such information as may be of interest to the public, among other things so as to limit the need for members of the public to resort to the use of this Act to obtain that information.

03. All Public Authorities shall periodically update the information referred to above.
04. Any citizen may, if he/she finds, upon inspection of the information provided by Public Authorities in terms of Sections 7, 8, 9 and 10 of the Act and pursuant to the duty of Proactive Disclosure contained in this Regulation, that the information is improper and/or false and/or has not been updated, complain to the Head or the CEO of the relevant Public Authority. If the Head or the CEO of the Public Authority fails to rectify the same, the citizen may make an application to the Commission within three months of the said disclosure for rectification of the said improper/false/outdated information for reasons stated.
05. If upon inquiry into the reasons stated, the Commission finds merit in the complaint, the Commission shall call upon the said Public Authority to rectify the same and report to the Commission within one month of the said order of the Commission.
06. Details of the inquiry and follow-up action (if any) shall be included in the report of the activities of the Commission required to be prepared and thereafter to be tabled before Parliament and sent to the President in terms of Section 37 of the Act.

Regulation No. 21

Information Officers

01. Information officers for Public Authorities shall be individuals who are responsible officers in the opinion of the Head or Chief Executive Officer of the Public Authority.
02. The appointment of information officers shall be done through a formal, written notice which shall, in addition to indicating the position, include a set of Terms of Reference for the position, based on the duties to be assigned to such officers under the Act, including but not limited to the following:
 - a) processing requests in accordance with the Act and any subordinate regulations, including by developing a set of internal procedures for this;
 - b) ensuring that the Public Authority meets its proactive publication obligations, as set out in Sections 8-10 of the Act;
 - c) ensuring full and prompt collaboration with the Commission in the processing of any complaints relating to the Public Authority;
 - d) ensuring that the Public Authority maintains its records well, in accordance with the requirements of Section 7 of the Act;
 - e) ensuring that the Public Authority publishes its annual reports, in accordance with the requirements of Section 10 of the Act; and
 - f) developing an Action Plan in regard to the steps that the Public Authority will take to meet its obligations under the Act, including in regard to ensuring proactive disclosure of information as mandated under these Regulations.
03. In the absence from duty of an Information Officer, the Head or Chief Executive Officer of the Public Authority shall make suitable arrangements to carry out the duties of the Information Officer.
04. Individuals serving as Information Officers shall give priority to their Right to Information related duties over their other duties.
05. Public Authorities shall ensure that Information Officers are allocated appropriate time and other forms of support as they need to undertake the duties in their Terms of Reference properly.
06. Public Authorities shall, within one year of the Act coming into effect, ensure that their Information Officer(s) have received appropriate training on how to apply the Act.

Regulation No. 22

The Forms specified in these Regulations, with such variations as the circumstances of any case may require, shall be used for the respective purposes therein mentioned.

Definitions:

- 01. 'Act' in these Regulations refers to the Right to Information Act, No. 12 of 2016
- 02. 'Commission' in these Regulations refers to the Right to Information Commission established under Section 11 of the Right to Information Act, No. 12 of 2016
- 03. 'Information Officer' refers to the Information Officer appointed under Section 23 of the Act
- 04. 'Designated Officer' refers to the Designated Officer referred to in Section 23 of the Act
- 05. 'Minister' refers to the Minister in charge of the subject of Mass Media
- 06. 'Public Authority' refers to the Public Authorities defined in Section 43 of the Act.

RTI 01

Note that completion of this Form is not a compulsory requirement to make a request for information and that any written letter, e-mail or a verbal request with the essential information to identify the requested information is sufficient.

Application to receive Information

Information Officer,

- 01. Name of Requestor :.....
- 02. Address :.....
- 03. Contact No. (if any) :.....
- 04. Email Address (if any) :.....
- 05. Details about Information requested -
 - I. Specific Public Authority :.....
 - II. Information requested :.....
.....
.....
.....
- III. Specific period information is requested (if applicable) :.....
- 06. Manner in which information is requested—
 - i. inspect relevant work, documents, records
 - ii. take notes, extracts or certified copies of documents or records
 - iii. take certified samples of material

iv. obtain information in the form of CD/DVD/storage media/tapes/video cassettes/ any other electronic mode/ printouts where such information is stored in a computer or in any other device.

07. Language in which requestor prefers access :.....

08. Does the information request concern the life and personal liberty of a citizen? (Yes/No)

09. If Yes, give reason for belief :.....
.....

09. Any other details :.....

10. Relevant documents attached (If any)

I.

II.

III.

11. Is the requestor a citizen of Sri Lanka? (Yes/No)

Date :.....

Signature :.....

RTI02

Acknowledgment

Mr./Ms.

Registration Number:

Date Request Received :

This is to inform you under Section 24 (3) of the Right to Information Act, No 12 of 2016 that we have received your information request datedrequesting the following information

We will inform you of our decision on your request within 14 days.

For further details, please contact the following officer during working hours. Please mention the Registration Number provided regarding your request when contacting.

Information Officer's

Name :

Designation:

Date :

Office :

Contact Number :

Email :

RTI 03

Register of Information Requests

Reg. No.	Application Date	Name and Address of Requestor	Contact No.	Type of Information (in brief)	Manner in which information is requested under s. 27 (3) of the Act	Date of Receipt letter	Date of Decision Letter	Fee	Date Information Provided	RTI Form 05 date if information is denied
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RTI 04

Decision to Provide Information

Registration Number of the Request :
 Date Request Received :
 Name of the public authority :

01. This is to inform you that in accordance with Section 25 (1) of the Act we have decided to provide you with the information/part of the information requested by you through application dated with the registration number of(In case if the decision is to provide only part of the information, the information should clarify the reasons in detail and under which clause/s of the Section 5 the exception was made.)
02. We have decided to withhold the following parts of the requested information because they are considered as exempted information under the Section 5 (.....)of the RTI Act due to the detailed reasons given below:.....
03. In order to provide the information please pay the necessary fee of Rs..... by cash, bank draft or pay order or postal order or postage stamps to our office.
04. We will provide you with the information within 14 days of payment of the required fee. We will also inform you within the same period(with reasons) if there is any extension needed to the time period in which to provide the information.
05. If you have not satisfied with the time frame mention in the Section 04 you may submit and appeal to the designated officer within two weeks by RTI 10 form. Name and address of the designated officer is given bellow.

Designated Officer-

Name :
 Designation :
 Address :
 Contact details :

Yours,
 Faithfully,

.....
 Information Officer (signed)
 Name & Designation

Date :

RTI 05

Rejection of Information Request

Registration Number:.....

Date Request Received:

Public Authority:

This is to inform you that we have decided to reject your request for information datedwith Registration Number.....as it is exempted information covered by Section 5.....of the Act/ the information is already published/ or is not in our possession, custody, or control.

In case the information is already published, you can find it here:

Reasons for justifying the decision to rely upon on the above mention clause/s:

- I.
- II.

(add more space or additional pages as needed)

You may under Section 31 (1) or Section 25 (7) of the Act, prefer an Appeal against this decision, or on the grounds that there has been non-compliance with time frames specified in the Act, to the following officer within 14 days. You may, for this purpose, use Form RTI 10, although this is not mandatory as long as you provide the information contained in that Form.

Designated Officer-

Name:

Designation:

Address:

Email:

Yours,
Faithfully,

.....
Information Officer (signed)
Name & Designation

Date:-

RTI 06

Mr. /Ms.

Registration Number :
Date Request Received :
Public Authority :

Extension of time period to provide information

This is with regard to RTI 04 dated which we have sent to you.

Even though we decided to provide the information requested by you through application dated with Registration Number we regret that we cannot provide the information within the 14 days stipulated in our initial decision letter due to the reasons given below. We are therefore extending the time period to provide the information till the(date expected).

Reason/s for the extension:-
.....
.....

If you are dissatisfied with the extension you may appeal to the following Officer within 14 days.

Designated Officer-

Name:
Designation:.....
Address:

Yours,
Faithfully,

.....
Information Officer (signed)
Name & Designation
Contact details (telephone and email)

RTI 07

Mr/Ms.....

Registration Number:.....
Date Request Received :
Public Authority:.....

In accordance with the Right to Information Act, No. 12 of 2016

We have received a request dated..... for information/part of the information that concerns confidential information that was provided to us by you on the (date information provided).

Requested Information

.....
.....
.....
.....

Please let us know within 7 days in writing whether or not you agree to providing the information/part of the information requested. Please clearly indicate which part of the information you wish us to withhold if you agree to disclose only a part of the information requested along with a detailed explanation as to why such information should not be disclosed.

If we are not informed of your decision within 7 days then under Section 29 (2) of the Act we will provide the information requested.

Please note that irrespective of your objections to disclosure of all or a part of the information sought the RTI Commission may direct us eventually to release the requested information if it decides that the release of the information demonstrably outweighs the private interest in non-disclosure, on the basis of an appeal made by the information requester.

.....(Signed.)

Information Officer
Name & Designation

Contact Number :

E-mail :

RTI 08

Mr./Ms.

Appeal No :
Date Request Received :
Public Authority :

In accordance with the Right to Information Act, No. 12 of 2016

We write to inform you of the acceptance of your Appeal.

We have received your appeal under Section 31 (1) of the Act against the decision of the Information Officer regarding your request for information with Reg. No.....

Your Appeal has been registered as Appeal No.dated.....and instructions have been given for necessary action to be taken. In this respect, we draw your attention to Section 31 (3) of the Act which states that a decision on an appeal is to be taken within 3 weeks of its receipt.

I will inform you the time and date to meet me in case if your presence is deemed necessary for the inquiry.

Hereinafter, when contacting us regarding this Appeal or to provide more details please mention the Appeal No. provided above.

Yours,
Faithfully,

(signed.)
Designation Officer (Name & Designation)
Contact Number :
Email :

RTI 09

In accordance with the Right to Information Act No. 12 of 2016

Register of Appeals

Appeal No.	Date of Appeal	Name and Address of Person making Appeal	Telephone No.	Date of Acceptance of Appeal	Reg. No. of First Appeal	Reasons	Date of Letter Providing Reasons

RTI 10

Appeal to the Designated Officer

Designated Officer,

.....

Public Authority:.....

Appeal Form

01. Name of Person Appealing :
02. Address :
03. Contact Number (if any) :
04. Email Address (if any) :
05. Date request made to Information Officer
 and Registration Number :
06. Did you receive a reply from the Information Officer ? Yes/No :
 (if Yes and you have a copy, please attach; otherwise provide details of reply)
07. Grounds for Appeal:
 - i. The Information Officer refuses a request made for information
 - ii. The Information Officer refuses access to the information on the ground that such information is exempted from being granted under Section 5
 - iii. Non -compliance with time frames specified in the Act
 - iv. The Information Officer granted incomplete, misleading or false information
 - v. The Information Officer charged excessive fees

- (vi) The Information Officer refused to provide information in the form requested
- (vii) The requestor has reasonable grounds to believe that information has been deformed, destroyed or misplaced to prevent the requestor from having access to the information

Details:

.....

- 08. Brief description of information requested :
- 09. If Appeal has not been submitted within the specified time period, cause of delay [s. 31(5)] :
- 10. Any other details :

Date :

Signature:

RTI 11

Register of Rejection of Requests

Reg. No.	Name & Address of Applicant	Date of RTI 05	Decision by Designated Officer	Rejection date and action taken	Decision by RTI Commission upon 2 nd Appeal	Action and date

RTI 12

Details of the Information Officers

Name of Department & Office	Name of Information Officer/ Designated Officer	Designation	Official Address	Telephone No.

.....
 Head of Institution (Name of Officer)

Seal :