



PROCEDURE FOR HANDLING ACCESS TO INFORMATION REQUESTS

0.0 DISTRIBUTION LIST

The Executive Director/CEO
All Heads of Departments/Sections

1.0 PURPOSE

This procedure sets out guidelines on how to handle Access to Information requests at Privatization Commission as stipulated in the Access to Information Act No 31 of 2016.

2.0 SCOPE

This procedure shall apply to handling of requests/accessing information related to Privatization Commission and its mandate, and it is applicable to all internal and external stakeholders

3.0 PRINCIPAL RESPONSIBILITY

The Executive director/CEO or any other officer appointed by the ED/CEO shall be the designated Information Access Officer (IAO).

4.0 ABBREVIATIONS

ED/CEO	-	Executive Director/Chief Executive Officer
PC	-	Privatization Commission
IAO	-	Information Access Officer
CAJ	-	Commission on Administrative

5.0 TERMS AND DEFINITIONS

- 5.1 **Access to information register:** A register kept by a public institution where entries of requests and determinations (decisions) on access to information are kept.
- 5.2 **Applicant/ Requester:** Person who has requested for access to information from a public institution.
- 5.3 **Information access officer:** Any officer of a public institution designated under Section Seven as such for implementation of the Access to Information Act in that public institution.
- 5.4 **Information:** Includes all records held by a public institution regardless of the form in which it is stored, its source or the date of production.
- 5.5 **Public Record:** includes any record in written or any other form containing information relating to the conduct of the public institution's business, prepared, owned, used or retained by a public entity regardless of physical form or characteristics.
- 5.6 **Request:** An application seeking access to information held by a public institution.
- 5.7 **Urgent Request:** Information sought concerning the life or liberty of a person as provided for in the Access to Information Act, No.31 of 2016.
- 5.8 **Working Days** - These are Government designated official working days. Gazetted holidays and weekends shall not be taken as working Days.

6.0 REFERENCE DOCUMENTS

- 6.1 Access to Information Act No.31 of 2016
- 6.2 The Constitution of Kenya 2010 (Article 33, Article 35 and Article 260)
- 6.3 Commission on Administrative Justice Act No.23 of 2011
- 6.4 Privatization Commission Strategic Plann2016-2021
- 6.5 Privatization Commission Service Delivery Charter
- 6.6 Privatization Commission Communication Plan
- 6.7 PC Quality Manual

7.0 OBJECTIVE

To ensure all requests for information are processed within twenty one (21) working days upon receipt.

8.0 REQUEST FOR INFORMATION PROCEDURE DETAILS

- 8.1 All Information requests shall be addressed to The Executive Director/Chief Executive Officer and emailed through info@@pc.goke. Requests can also be delivered to the Commission offices located at Extelcoms House 11th Floor, Haile Selassie Avenue, Nairobi or sent through Post Office Box number 34542-00100, Nairobi.
- 8.2 In the event that the applicant is unable to read and write, or due to disability, the applicant is allowed to make oral requests. The receiving officer shall put down the oral request in writing and make two copies where one will be handed to the applicant.
- 8.3 The IAO shall record the details of the requested information in the Commission's Request to Access Information Register within 24 hours upon receipt of the request for information.
- 8.4 The IAO shall acknowledge receipt of the request for information within two (2) days and advise the applicant how to access the request to access information form and guide on how to fill it;
- 8.5 The IAO shall process urgent requests to the Agency within 48 hours upon receipt;
- 8.6 The IAO shall process ordinary requests and notify the requester within twenty one (21) working days;
- 8.7 If it is not possible to handle a request within the above time limits, the IAO shall inform the Requestor of the reason why it needs more time and the estimated date for communicating the information concerned;
- 8.8 Request for Access to Information that is considered as confidential in nature, must be approved by the ED/CEO before the disclosure of the information. The Requestor will be required to sign the confidentiality form before the information is disclosed;
- 8.9 If the requestor is dissatisfied with information provided, he/she can appeal to the Commission on Administrative Justice (Office of the Ombudsman);
- 8.10 The IAO shall prepare a report and submit to the Commission on Administrative Justice (Office of the Ombudsman) on quarterly basis using the prescribed forms from CAJ.