

## **REQUEST FOR INFORMATION UNDER THE RTI LAW** **WHAT YOU SHOULD KNOW.**

The right to information is a fundamental legal right that fosters transparency and accountability within government by empowering individuals to request and receive information about governmental activities, decisions, and policies. An informed citizenry is better positioned to monitor governance instruments and hold the government accountable to its citizens. The enactment of the Right to Information (RTI) Act represents a significant milestone in informing citizens about government activities.

While information is available in the media space regarding the RTI Act, 2019 (Act 989), there are certain aspects that one may not be familiar with. The Right to Information Act, (Act 989), was formulated to among other things, facilitate access to information in Ghana. Despite encountering hurdles through five different Government administrations, the Bill was eventually passed into law in March 2019 as the Right to Information Act, 2019 (Act 989).

This Act ensures that the public has access to information from both public and private institutions that receive public resources or perform a public function, thereby fostering a culture of transparency. The Act also enhances institutional transparency and accountability, improves service delivery, and encourages public participation in matters concerning them.

Here is what a prospective applicant should know when requesting for information under the RTI Act 989.

**Request Process:** Individuals can request information from public institutions by submitting a written or oral request to the designated Information Officer. It is advisable to identify the relevant Information Officer for the department or ministry from which you are seeking information. The application should include a clear description of the request, along with the applicant's identification and address.

**Decision on Application:** Upon receiving an application, the Information Officer would make a decision and provide a written notice to the applicant within fourteen days. If the request is denied, the applicant has the right to appeal under sections 31-39 of the RTI Law. Subsequent appeals may be reviewed by the RTI Commission which has been established to promote, monitor, protect, and enforce the right to information law.

**Deferral of Application:** An application may be deferred for up to seven days under certain circumstances, when the required information needs to be gathered from multiple sources or when consultations with external parties are necessary.

**Exceptions to the 14-day rule:** Requests that involve matters concerning the life or liberty of a person require expedited processing, with a decision to be made within forty-eight hours.

**Unavailability of Information:** If the requested information is not within the institution's custody, the Information Officer must either refer the request to the appropriate institution within two days or direct the individual to the relevant institution.

**Cost of Information:** While the information itself is provided free of charge; applicants may be required to cover the cost of reproducing the information.

**Exempt Information:** Certain categories of information are exempt from public disclosure, including information about the President or Vice President, Cabinet proceedings, law enforcement and public safety, international relations, national security, economic information of third parties, and certain internal workings of public institutions.

**Accessibility for Non-Literate Individuals:** Individuals who cannot read or write can make oral requests in languages they understand to the Information Officer.

The Right to Information Act 2019 (Act 989) extends to both citizens and non-citizens, granting them the right to request information from public organizations and private institutions that receive public resources or perform public functions.