The Agency for the Protection of the Right to Free Access to Public Information, based on Article 109 paragraphs 1 and 2 of the Law on General Administrative Procedure ("Official Gazette of the Republic of Macedonia" No. 124/2015), and in accordance with Article 27 and Article 34 paragraph 1 of the Law on Free Access to Public Information ("Official Gazette of the Republic of North Macedonia" No. 101/2019) and in accordance with the provisions of the Guidelines for the Implementation of the Law on Free Access to Public Information ("Official Gazette of Republic of North Macedonia" no. 60/20), acting on the appeal filed by the Macedonian Center for International Cooperation - MCMS, through Aleksandar Krzhalovski, Director of MCMS, filed against the Ministry of Political System and Inter-Community Relations, on 13.05.2024 brought the following

**DECISION**

The appeal from the Macedonian Center for International Cooperation - MCMS, through Aleksandar Krzhalovski, director of MCMS, filed against the Ministry of Political System and Inter-Community Relations, registered in the archive of the Agency for the Protection of the Right to Free Access to Public Information under No. 08- 126 on 04/25/2024 **DISMISSED as untimely**.

**EXPLANATION**

Macedonian Center for International Cooperation, as stated in the appeal, on 07.03.2024, submitted a Request for access to public information to the Ministry of Political System and Inter-Community Relations by e-mail, with which it requested to be delivered by e-mail email electronic record of the following information:

"1. Individually allocated funds through the Ministry of Political System and Inter-Community Relations to end users from budget item 463 – Transfers to non-governmental organisations, in 2023. (Table 1).

1. Individually allocated funds through the Ministry of Political System and Relations between Communities to end users - non-governmental organisations from another budget item (different from 463 - Transfers to non-governmental organisations), in 2023. (following the example of Table 1).”

The information holder did not respond to this request within the legally stipulated period, which is why the requester filed an appeal with the Agency under no. 08- 126 on 25.04.2024.

Acting on the said appeal, the Agency for the Protection of the Right to Free Access to Public Information **dismissed it as** **untimely** due to the following:

Regarding the Request submitted on 03/07/2024, the Agency indicates to the Requester that the appeal is untimely because it was submitted on 04/25/2024, i.e., after the expiration of the legal deadline for submitting an appeal to the Agency.

In Article 21, paragraph 1 of the Law on Free Access to Public Information, it is established that: "The holder of the information is obliged to respond immediately to the Request of the Requester, and no later than within 20 days from the day of receipt of the Request".

Article 22 paragraph 1 and paragraph 3 of the Law on Free Access to Public Information stipulates that: "If the owner of the information should provide partial access to the information in accordance with Article 6 paragraph (4) of this law or due to the volume the requested information takes longer than the deadline established in Article 21 of this law, the deadline can be extended to a maximum of 30 days from the day of receipt of the request", after timely notification to the Requester, i.e. "if the Holder of the information does not act in within the term of paragraph (1) of this article, the requester of the information may submit an appeal to the Agency".

If the holder of the information does not act in accordance with the above-mentioned articles of the Law, it is considered that the Request has been rejected, after which the Requester has the right to file an appeal with the Agency within 15 days, in accordance with Article 27 of the Law on Free Access to Public Information.

According to the above, the Agency for the Protection of the Right to Free Access to Public Information decided as dispositive of this Decision.

This Decision is final in the administrative procedure, and there is no room for appeal against it.

**LEGAL REMEDY:** Against this Decision, the party can initiate an administrative dispute before the Administrative Court within 30 days.

**Director,**

**Plamenka Bojcheva**