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 E.A. from Skopje, submitted against SUGS "Josip Broz - Tito" Skopje on 13.03.2024 brought the following

**DECISION**

The appeal from E.A. from Skopje filed against SUGS "Josip Broz - Tito" Skopje, filed in the archives of the Agency for the Protection of the Right to Free Access to Public Information under No. 08-44 on 03.04.2024 **IS** **DISMISSED as untimely**.

**EXPLANATION**

## Ema Andonovska from Skopje, as stated in the appeal, on 24.01.2024, submitted a Request for access to public information to SUGS "Josip Broz - Tito" Skopje, registered in the SUGS "Josip Broz - Tito" Skopje under no. 03-45 on 24.01. 2024, with which she requested that a photocopy of the following information be delivered to her "in hand":

"Minutes of the teacher's council and Decision on the re-election of a member of the School Board Vladimir Bishkovski.".

The holder of information did not respond to this request within the legally stipulated period, which is why the requester of the information submitted an appeal to the Agency on March 1, 2024, filed with the Agency under no. 08-44 on 03/04/2024.

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:

Concerning the Request submitted on 01/24/2024, the Agency indicates to the Requester that the appeal is untimely because it was submitted on 03/01/2024, 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 Information Holder does not act in accordance with the above-mentioned articles of the Law, the Request is considered to be 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.

In accordance with the above, the Agency for the Protection of the Right to Free Access to Public Information decided as the 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**