The Agency for the Protection of the Right to Free Access to Public Information, based on Article 111 Paragraph 1 of the Law on General Administrative Procedure ("Official Gazette of the Republic of Macedonia" No. 124/2015) and in accordance with Article 27, Article 34 paragraph 1 from the Law on Free Access to Public Information ("Official Gazette of the Republic of North Macedonia" No. 101/2019), and in accordance with the Guidelines for the Implementation of the Law on Free Access to Public Information ("Official Gazette of the Republic of North Macedonia" No. 60/20), acting on the appeal filed by D. C., filed against the Municipality of Ohrid, in the case of Request for access to public information, on 14.05.2024 brought the following

**DECISION**

1. The appeal D. C. submitted against the Municipality of Ohrid, filed in the Agency under no. 08-134 on 04/30/2024, regarding a Request for access to information of a public nature, is **UPHELD**.

**2. IT IS ORDERED** that the Holder of information acts upon the request of the Requester in accordance with the provisions of the Law on free access to public information.

**3.** The information holder is obliged to implement this Decision within 15 days from the day of its receipt and inform the Agency about it.

**EXPLANATION**

D. C., as stated in the appeal, 04/02/2024 submitted a Request for access to public information to the Municipality of Ohrid, with which they requested to be provided with an electronic record of the following information:

"According to the 187th Session of 23.09.2023, in point 31/11, the Government instructed the Municipality of Ohrid, the Municipality of Struga and the Municipality of Debarca, within 30 days (continuously until the end of the year) each within their competences to start with the removal of illegally built buildings for which final removal decisions have been issued and for which financial means have been provided for the removal. How has the Municipality of Ohrid acted so far after borrowing? What are the next plans and time frame for fulfilment?"

The information holder did not respond to this request within the legally stipulated period, which is why the requester of the information, within the legally stipulated period, filed an appeal registered with the Agency under no. 08-134 on 04/30/2024.

The Agency, by electronic letter No. 08-134 dated 04/30/2024, forwarded the appeal to the Holder of Information and requested that a ruling be issued on it within 7 days and that all documents related to the matter be submitted to the Agency.

The holder of the information did not respond to the Agency's letter.

The Agency for the Protection of the Right to Free Access to Public Information, after reviewing the appeal and other documents related to the subject, determined that the Holder of Information did not act in accordance with the provisions of the Law on Free Access to Public Information, i.e. within the legally stipulated time limit submitted the requested information to the Requester, in the manner and the form specified in the Request, nor passed an administrative act in accordance with the aforementioned Law, which is why, according to Article 20 paragraph 3 of the Law on Free Access to Public Information, it is considered that the Request was rejected.

In accordance with the above, the Agency for the Protection of the Right to Free Access to Public Information decided as in the dispositive of this Decision.

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

 **Director,**

 **Plamenka Bojcheva**