

GUIDELINES FOR PUBLIC INFORMATION REQUESTS

You have a right to know!

Use your right to free access to public information!

GUIDELINES FOR APPLICANTS OF PUBLIC INFORMATION

The project is

funded by the European Union

Promotion of

transparency and accountability in public administration

Every citizen has the right to be informed, and to know how public institutions function at the local and central levels.¹ To know how public money is spent, what their rights are and how he can use them. Use your right of access to public information!

Public information is public, not secret. You have the right to be informed.

You have a right to know!²

What information is public?

Any information created by or with which the holder of the information disposes in accordance with their competencies is public.

Who has the right to access public information? Any

domestic or foreign natural and legal person

Do requesters have to explain why they need the information?

No. No one may ask you to justify your request for access to information.

Who is obliged to provide access to information?

According to the law, holders of information are:

- State authorities and other authorities and organizations determined by law, the municipalities, the City of Skopje and the municipalities in the city of Skopje, as well as the courts;
- Institutions, public services, public enterprises, legal and natural persons exercising public powers established by law and activities of public interest (schools, hospitals, theatres, cultural centres, sports associations, etc.);
- Political parties in terms of their incomes and expenditures.

You can check who is the holder of the information at:

www.aspi.mk/list-of-informers-informers/.

How to request access to information?

You can submit a request for access to public information to the holder of the information:

- Orally,
- In written form or
- Electronic.

You can find the Request for Free Access to Information form at:

www.aspi.mk/documents/forms/.

It is not mandatory to use their template, but it may help. If you do not use the form, indicate in your request that it is a request for access to public information.

¹ Article 16 paragraph 3 of the Constitution of the RSM

² Law on free access to public information (Official Gazette of RSM number 101/2019)

Is the public administration obliged to help applicants?

Yes. The information broker has an obligation to help the applicant.

When to expect a response to the request?

You should receive the answer immediately, but not later than the legally established period of 20 days. In case of a verbal request, you should receive the information immediately, but no later than 5 days after the request. In exceptional cases, the request could be answered in a longer period, but not more than 30 days.

The term can be extended in case: 1) when the information is of a larger scale; 2) when partial access is provided.

In what form can the information be given to you?

You can get access to the requested information in several ways:

- You can inspect the information you are looking for on the spot, • Get a photocopy, transcript or
- To be delivered to you by post or electronically to your electronic mailbox.

The applicant has the right to choose the form of access by stating it in the application.

What to expect after submitting your written request? The holder of the information can:

- To provide the requested information (in full or in part) by making a reasoned decision;
- Forward the request to another information holder;
- To refuse access to the information with a reasoned solution.

What can be done if the answer is not satisfactory?

If you do not receive an answer within the legally prescribed period or if you are not satisfied with the answer, you have the right to appeal to the Agency for the Protection of the Right to Free Access to Public Information. The appeal form can be found at: www.aspi.mk/documents/forms/.

What should the appeal contain?

In the appeal, you should state: 1) the name of the holder of the information who made or failed to make a decision and 2) the reasons why you are not satisfied with the decision or not make it. Attach the request that you submitted and the decision that you dispute, if it was made. The appeal signed by the applicant/complainant is submitted in writing to the Agency for the Protection of the Right to Free Access to Public Information, within 15 days from the day of receipt of the contested decision or after the 20th day. in case of failure to adopt a decision.