

GUIDELINES FOR PROACTIVE RELEASE OF PUBLIC INFORMATION FOR PUBLIC OFFICERS OR MANAGERS

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Articles 9 and 10 of the Law on Free Access to Public Information provide for the publication of a wide range of information available and owned by the holders of information. According to Article 10 of the Law, the holders of information are also allowed to publish other information arising from the authority and work of the holders.

These guidelines are prepared and intended for officials or managers of information holders.

CHAPTER I: WHO ARE THE HOLDERS OF PUBLIC INFORMATION:

According to the Law on FAPI, the holders of information are:

- State bodies and organizations established by law, municipal bodies, the City of Skopje and the municipalities in the City of Skopje, and the judiciary;
- Institutions and public services, public enterprises, legal and natural persons exercising public powers determined by law and activities determined by public interest, including educational institutions of all levels of the educational system, health institutions, theatres, cultural institutions, sports federations;
- Political parties in the area of income and expenditure

You can see the list of holders at the following link:

<https://aspi.mk/%d0%bb%d0%b8%d1%81%d1%82%d0%b0-%d0%d%d0%b0-%d0%b8%d0%bc%d0%b0%d1%82%d0%b5%d0%bb%d0%b8-%d0%bd%d0%b0-%d0%b8%d0%bd%d1%84%d0%be%d1%80%d0%bc%d0%b0%d1%86%d0%b8%d0%b8/>

CHAPTER II: WHAT INFORMATION SHOULD BE PUBLISHED ON WEBSITES:

Pursuant to Articles 9 and 10 of the Law on FAPI, the holders of information are obliged to publish the following information on their websites:

- Institutional information – the legal basis of the institution, internal regulations, functions and competencies;
- Organizational information – organizational structure, information about employees, as well as the names and contact information of public officials;
- Operational information – strategies and plans, policies, activities, procedures, reports and performance assessment – including analysis of

the facts and other documents and data on the basis of which policies are formulated;

- Decisions and acts – including data and documentation proving the need for such decisions and acts;
- Information on public services – description of the services that the authority performs, manuals and guidelines, forms and information on fees and the time frame for their performance;
- Budget information – budget procedure, draft budget, financial reports, including information on salaries within the public institution, audit reports;

- Information on open meetings – the topic, time, agenda, information on public discussions and conditions for participation in them;
- Decision-making and public participation – information on decision-making procedures, including mechanisms for public hearings and participation in that process;
- Information on subsidies – for subsidized persons, on the purpose of the subsidies, the amounts paid and the execution process;
- Information on public procurement – on tender procedures, selection criteria, results of tenders, concluded contracts and performance reports;
- Informants and resources – description of information resources, indexes, lists of public registers, description of public registers, access procedure, including online registers and databases;
- Information about the information generated by and kept in the information register;
- Information about publications issued by the institution, including information about free publications, as well as publications that can be obtained for a certain fee;
- Information on the right to information:
 - Information related to the right of access to information and how to request information, including contact information for the responsible persons in each public authority.

For more detailed information, you can see the Guides for Proactive Disclosure of Information and Guidelines for Proactive Transparency published by the Agency for Protection of the Right to Free Access to Public Information. [LINK TO AGENCY WEBSITE](#)

CHAPTER III: DOES SPIKE LAW LIMIT WHAT CAN BE PUBLISHED ON WEBSITES:

No. The law allows the publication of other information that your institution has (Article 10, paragraph 1, paragraph 22)

There are significant advantages to publishing a wide range of information held by your institution:

- Provides transparency for the procedures and policies of your institution
- It reduces the pressure on officials who mediate and handle information of a public nature.

For example: It will be a good practice to publish information that has been the subject of multiple requests for access to information by citizens.

Article 10 of the Law does not require the publication of information that is exempted from publication according to ZFAPI (Article 6) or of information for which publication is prohibited by other laws.

CHAPTER IV: WHEN SHOULD WEBSITE INFORMATION BE PUBLISHED?

The information that you own and have at your disposal, and are the subject of interest on the part of the citizens, should **REGULARLY** be published on your web pages. A good practice would be to place this information in a separate banner or link on the web pages that will be titled **INFORMATION SHEET** and in them, you will update the necessary public information.

Information related to human health and environmental protection should be **IMMEDIATELY** published on the web pages and promoted in another way according to your competencies and possibilities.

Also, **IMMEDIATELY** you should publish the data on the officials if you change them, the contact data for the institution (address, contact phone number and e-mail address) and inform the Agency for the Protection of the Right to Free Access to Public Information about the same.

CHAPTER V: WHAT CAN YOU DO AS A PUBLIC OFFICER OR MANAGER TO PROMOTE PROACTIVE TRANSPARENCY?

As a public officer or manager, you play a key role in setting the standard for supporting transparency at your institution. You also shape a culture of openness, transparency and accountability.

In this leadership role, you are responsible for ensuring your institution has appropriate governance mechanisms in place and ensuring proactive disclosure of public information.

Officers or managers can improve proactive transparency practices by:

- Informing the employees about their responsibilities according to the Law on FAPI;
- Publishing a wide range of documents on your website at the moment they are created;
- Prioritizing proactive transparency when developing your strategic priorities and plans;
- Analyzing requests for public information received by your institution to help determine information of public interest and proactively publish those documents;

- The proactive publication of public information as an indicator of the institution's transparency

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Promotion of
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