

How much will it cost me?

The Assembly may charge a reasonable cost incurred in making copies of such information and, if applicable, supplying them to the applicant through the form and channels provided by the applicant.

Correction of information

A request for correction of personal information held by Assembly that may be out of date, inaccurate or incomplete must be made in writing to the Assembly stating:

- ✓ that it is a request to amend certain personal information relating to the applicant;
- ✓ specify the personal information that is to be amended indicating how such information is out of date, inaccurate or incomplete; and
- ✓ Specify the remedy sought by the applicant.

Responses to Application to access to information

- ✓ Approval of application for access and provision of full information required
- ✓ Partial provision of the required information if one of the parts requested is covered by an exception
- ✓ Total rejection of application for access through a reasoned decision or the expiry of legal deadlines

What should one do if one's application is rejected?

In case of rejection, the applicant may submit a **complaint or Appeal** to:

- ✓ The Chair of the County Assembly of Siaya Board or

- ✓ The Commission of Administrative Justice Secretary/Chief Executive Officer

COUNTY ASSEMBLY OF SIAYA ACCESS TO INFORMATION REQUEST CHANNELS

Assembly Clerk,
County Assembly of Siaya,
P.O. Box 7-40600
Siaya, Kenya

Tel: 057 5321021/ 0708745148
Email: clerk@siayaassembly.go.ke
complaints@siayaassembly.go.ke
Website: www.siayaassembly.go.ke

Filing an Appeal with the Commission on Administrative Justice

Where a requester is not satisfied with the Assembly's response, Complaints or Appeals can be filed with the Ombudsman on the following address.

The Commission Secretary/Chief Executive Officer

Commission on Administrative Justice (CAJ)
West End Towers, 2nd Floor Waiyaki Way
P.O. Box 20414, 00200 City Square Wetlands,

Tel: +254 020 2270 000, +254 020 2303 000
Email: info@ombudsman.go.ke

REPUBLIC OF KENYA



COUNTY ASSEMBLY OF SIAYA

ACCESS TO INFORMATION PROCEDURE

What is the right to Access to Information?

Article 35 of the Constitution of Kenya and the Access to Information Act, 2016 say that a citizen has a right to information held by another person or institution and is needed for enjoyment or protection of rights and freedoms.

It is the duty of the government including the county to provide information other than exempt information by law.

What are my rights under the Access to Information Act, 2016?

The Act gives you a legal right to see and get copies of official documents held by the Assembly. You may also ask for personal for personal information to be changed if it is incomplete, misleading, out of date or incorrect.

What are official documents?

These are documents in the possession, custody or control of a government body and which are connected to its function.

Which information is Exempt?

Access to Information Act, 2016 says that some information may not be provided. This information is exempt.

This is information that may:

- ✓ Affect national security
- ✓ Affects the due process of the law
- ✓ Puts in danger the safety, health or life of a person
- ✓ Leads to unlawful invasion of privacy
- ✓ Interfere with the commercial interest and intellectual property rights.
- ✓ Makes it difficult for the government to manage the economy
- ✓ Affect the ability of an institution to make a fair and just decision

- ✓ Affect legal proceedings held by professional confidential or secret
- ✓ Affect personal confidentiality or the requirement to keep information held by a professional confidential or secret

Public interest

Exempt information may at times be provided this may happen when a court decides that the information should be provided in public interest.

Access to information application process

You are required to make a request with County Assembly Clerk. The request must clearly be written in English or Kiswahili.

If you are unable to make a written request because you are unable to read, write or disabled you will be assisted by the Assembly Access to information Officer to make the request.

We have Information Request Form to make this easier for you. The form can be downloaded on our website or picked at the Assembly Reception Desk or Ward Offices.

How a request to information is handled?

Where the information sought concerns the life or liberty of a person, the information access officer shall provide the information within forty-eight (48) hours of the receipt of the application.

The 48 hours can be extended to 14 days if the search involves many records or where consultations are required.

The Assembly's information access officer or a designate shall make a decision on an application as soon as possible, but in any event, within twenty-one (21) days of receipt of the application.

Transfer of Application

If the information requested involves another institution the information Access Officer shall transfer the request to the other institution within 5 days.

Response to request for access to information

Where a decision is taken to provide the information applied for, the Assembly's Information Access officer shall send to the applicant a written response within (15) fifteen working days of receipt of the application, advising:

- ✓ that the application has been granted;
- ✓ that the information will be contained in an edited copy, where applicable;
- ✓ the details of any fees or further fees to be paid for access, together with the calculations made to arrive at the amount of the fee;
- ✓ the method of payment of such fees, if any;
- ✓ the proposed process of accessing the information once the payment if any is made; and
- ✓ That an appeal may be made to the Commission in respect of the amount of fees required or the form of access proposed to be provided.