

[AS PASSED BY THE SENATE]

BILL

*to provide for the right to information in transparent and effective manner,
subject only to reasonable restrictions imposed by law*

WHEREAS Government believes in transparency and the right to have access to information to ensure that the people of the Islamic Republic of Pakistan have improved access to records held by public authorities and promote the purposes of making the Government more accountable to its people, of improving participation by the people in public affairs, of reducing corruption and inefficiency in Government, of promoting sound economic growth, of promoting good governance and respect for human rights;

AND WHEREAS it is expedient to provide for a law which gives effect to the fundamental right of access to information, as guaranteed under Article 19A of the Constitution of the Islamic Republic of Pakistan and international law, whereby everyone shall have the right to have access to all information held by public bodies subject only to reasonable restrictions imposed by law, and for matters connected therewith or incidental thereto;

It is hereby enacted as follows:-

1. Short title, application and commencement.— (1) This Act may be called the **Right of Access to Information Act, 2017**.

(2) It shall apply to all public bodies of the Federal Government.

(3) It shall come into force at once.

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context,

- (i) “appeal” means any grievance lodged in writing by an applicant with the Information Commission in accordance with section 17;
- (ii) “applicant” means a citizen of Pakistan, as defined in law, who lodges a request or any person who is acting for or on behalf of such a person;
- (iii) “designated official” means an official of a public body designated in accordance with section 9;
- (iv) “Information Commission” means the Pakistan Commission on Access to Information established in accordance with section 18;
- (v) “information” means information based on record;
- (vi) “national security” means the matters pertaining to the integrity, security or defence of Pakistan or any part thereof;

(vii) "prescribed" means prescribed by rules or regulations made under this Act;

(viii) "principal officer" means-

- (a) in case of the Federal Government's Ministries and Divisions, the Secretary thereof; and
- (b) in all other cases, the head or chief executive of the public body by whatever designation identified;

(ix) "public body" means—

- (a) any Ministry, Division, attached department or subordinate office, including autonomous bodies of the Federal Government;
- (b) any Federal and any municipal or local authority set up or established by or under any Federal law;
- (c) the National Assembly and the Senate including their secretariats, committees and members;
- (d) any statutory corporation or other body corporate or institution set up or established or owned or controlled or funded by the Federal Government;
- (e) any court, tribunal, commission or board under the Federal law;
- (f) any incorporated or unincorporated body of the Federal Government functioning under the control or authority of another public body or wherein one or more public bodies own or have controlling interest or provide substantial funding;
- (g) any other organisation which undertakes a public function, to the extent of that function;
- (h) a non-governmental organisation which directly or indirectly receives or has received public funds, subsidy, tax exemption, piece of land or any other benefit involving public funds and any other non-governmental organisation or body registered **under any law for the time being in force**;

(x) "record" means a public record as defined in section 6.

(xi) "request" means a request for access to information and includes a request for access to a specific record;

(xii) "right of access to information" means the right of access to information accessible under this Act which is held by or under the control of any public body and includes the right of access to information, documents or record in digital or printed form, as the case may be.

3. Right to have access to information not to be denied.— (1) Subject to the provisions of this Act, no applicant shall be denied access to information or record held by a public body.

(2) This Act shall be interpreted so as to advance its purposes as set out in the preamble and to—

- (a) promote the right of access to information; and