

Rwanda

Ministerial Order determining the Time Limit for the Provision of Information or Explanations of not Providing It

Ministerial Order 7-MO7 of 2013

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Commenced on 13 January 2014

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The Minister of Local Government,

Pursuant to the Constitution of the Republic of Rwanda of 04 June 2003 as amended to date, especially in Articles 33, 34, 120, 121 and 201;

Pursuant to Law n° 04/2013 of 08/02/2013 relating to access to information, especially in Article 11;

After consideration and approval by the Cabinet, in its session of 09/10/2013;

HEREBY ORDERS:

Article One – Purpose of this Order

This Order determines the time limit for the provision of information or explanations of not providing it.

Article 2 – Time limit for providing information

An information officer shall make a decision on a request for information as soon as possible. However, the time limit shall not exceed three working (3) days from the date of receipt of the application.

However, the time may be shortened as follows:

- 1° where the information sought concerns the life or liberty of a person, the information shall be provided within twenty-four (24) hours from the receipt of the request;
- 2° where the information is sought by a journalist for the purposes of news gathering, the information shall be provided within two (2) days from the receipt of the request.

Without prejudice to Paragraph One of this Article, where an application, other than an application that concerns the life or liberty of a person, is especially complex or relates to a large volume of information, an information officer may request the Office of the Ombudsman for an extension of time of no more than fourteen (14) working days.

Article 3 – Procedures followed by an information officer for the extension of the period of time

An information officer shall request to the competent organ the extension of the time limit for the provision of information in any of the official languages verbally, in writing and any other means of technology without prejudice to the provisions of Laws.

Article 4 – Transfer of information applications

An information officer shall, not later than two (2) days from the date of receipt of an information request, transfer the request or any relevant part of it, to another organ if the information requested is not held by or under the control of the organ for which he/she is an information officer, but is held by or under the control of that other organ.

Where the request is transferred as provided for in Paragraph One of this Article, an information officer shall forthwith, but in any event no later than four (4) days from the date of receipt of the application, inform the applicant about the transfer and the address of the organ to which the application has been transferred.

An organ, to which the application was transferred according to the Paragraph 2 of this Article, shall make a decision on the application within seven (7) days from the date the application was made. When the time limit is not respected, it shall be considered as not provided.

Article 5 – Rejection of application

Where a request for information is rejected or partially rejected, the information officer shall send to the applicant a written order within two (2) working days of receipt of the application, specifying:

- 1° the reasons for the decision, including the relevant provisions of the Law based on;
- 2° the name and designation of the person who made the decision.

Article 6 – Repealing provision

All prior provisions contrary to this Order are hereby repealed.

Article 7 – Commencement

This Order shall come into force on the date of its publication in the Official *Gazette* of the Republic of Rwanda.