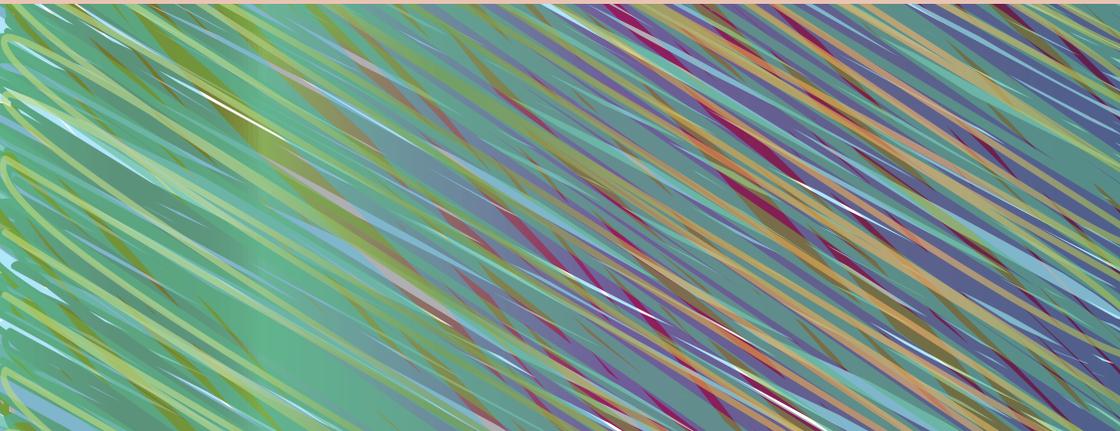




OFFICE OF THE PRIME MINISTER | REPUBLIC OF UGANDA

PROMOTING ACCESS TO INFORMATION IN UGANDA

User Guide



An initiative of the **Department of Information and National Guidance**

In partnership with:



PROMOTING ACCESS TO INFORMATION IN UGANDA

User Guide

Foreword

Information can support many avenues of success in communities and ultimately in a country. In recent years, the Government of Uganda has made efforts to make information in the possession of ministries, Departments and Agencies more available to the public. At the Ministry of Information and National Guidance we appreciate the value of information and the right to information as outlined in the Constitution of Uganda and the Access to Information Act (2005).

We are happy to present Ask Your Government (AYG), an online platform (www.askyourgov.ug) that supports us in making public information easily accessible to the citizens of Uganda. In addition to easy access of information, it promotes a less costly, less time consuming and more efficient way of requesting information from numerous public bodies.

This is in line with our mandate as a Ministry which is twofold: To regulate the media and coordinate the dissemination of information on government programs and activities; and To propagate the National Vision and mobilise the people to embrace National Values and the Common Good.

This AYG User Guide is a simple tool that outlines the importance of access to Information and enables citizens to request information and records online from the many public bodies that serve the citizens of Uganda.

We appreciate the numerous benefits of using Information and Communication Technology (ICT) in collecting and disseminating information and as a Government we are promoting the use of ICT by citizens and within Government as required by the recently passed Government Communication Strategy. As at 2014, there are 18.3 mobile phone connections in Uganda and 20% of the population uses the internet. The use of these technologies continues to grow and it is incumbent upon Government to embrace ICT use so as to promote transparency, accountability and improve their engagement with citizens.

AYG is a reflection of our commitment towards promoting transparency, accountability and good governance in Uganda. We are proud to be among the first 14 African countries to have a Right to Information Act. This platform is yet another milestone in the Uganda Government's commitment to an Open Government where citizens have ample access to information and public bodies are transparent and accountable to the public they serve.

I am pleased with the strong collaboration my Ministry and Government in general has enjoyed with AFIC and other civil society organisations in advancing the right to information in Uganda and Africa.



Hon. Namayanja Rose Nsereko
Minister of Information and National Guidance
August 2014

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1. What is Ask Your Government?

Ask Your Government (AYG) is a web portal, www.askyourgov.ug where Ugandan citizens can make information requests to the different public bodies including ministries, departments and agencies within the Government of Uganda. It is driven by the core goal of promoting transparency and government-citizen interaction through the use of Information and Communication Technologies (ICT) toward good governance and improved service delivery.

The AYG platform is aimed at facilitating the implementation of the 2005 Access to Information Act. It promotes transparency and accountability of the state to citizens through making information open and available to all citizens including civil society organisations, media, human rights defenders and many other stakeholders.

AYG will thus promote disclosure of information, transparency and accountability through enabling increased communication between citizens and the government with regards to information. In addition to this it also;

- Lowers barriers that prevent the public from making requests for documents and information held by government.
- Empowers citizens to effectively scrutinise government decisions that affect them.
- Encourages government agencies to disclose information in a timely manner that is accessible by all.
- Serves as a tool for citizens to monitor the performance of the various government agencies in the work they are mandated to do.
- Raises citizens' access to public sector information
- Promotes the active engagement of citizens with government

The portal will serve as a library of information requested by citizens and provided by government agencies. Citizens will be able to search through the library.

“www.AskYourGov.ug brings public information closer to citizens. It is faster, efficient and timely”

2. Why is Access to Information important?

Every citizen shall have a right of Access to Information in the possession of the state except where the release of the information is likely to prejudice the security or sovereignty of the state or interfere with the right to privacy of any other person

Constitution of the Republic of Uganda 1995, Article 41

Access to information is important to all citizens as it promotes inclusivity in the governance of a country while promoting transparency, accountability and good governance practice.

Uganda's Access To Information Act was passed in 2005 and serves to:

- Promote an efficient, effective, transparent and accountable Government;
- Protect persons disclosing evidence of contravention of the law, maladministration or corruption in Government bodies;
- Promote transparency and accountability in all organs of the State by providing the public with timely, accessible and accurate information; and
- Empower the public to effectively scrutinise and participate in Government decisions that affect them.

It is important to remember that:

- Government information is public information
- When you ask to access government records, you are asking to see information that belongs to you as a citizen
- You have the right to obtain information by simply asking the right public body or official.

For information to be relevant it must:

- Be accurate and timely
- Be specific and organized for a purpose
- Be presented within a context that gives it meaning and relevance
- Be able to increase in understanding and decrease in uncertainty on the part of the person receiving it.

3. Who can access information?

Every citizen has a right to access information. This means an ordinary person or a company which is registered in Uganda has a right to access information. Under the Act, non-Ugandans (foreigners) do not have a right to access information.

A citizen has the right to access any kind of information in the hands of the State including all information and records of Government

“Access to Information is a fundamental right for every citizen.”

ministries, departments, local governments, statutory corporations and bodies, commissions and other Government organs and agencies, unless specifically exempted by the Access to Information Act. Over 100 of these agencies are included in the AYG online platform.

4. How can a person or organisation request for information?

A person or organisation can make a request in writing to the information officer of a public body in control of the required information. The application shall have sufficient details to enable an experienced employee of the body to identify the record or information.

The person or organisation requesting for information is required to:

- Provide sufficient details to enable the information officer to identify
 - i. the record or records requested;
 - ii. the person requesting the information;
- Specify the address of the person requesting the information; and
- If the request is made on behalf of a person, to state the capacity in which the person requesting the information is making the request.

According to the Access to Information Act, the Chief Executive of each public body is an information officer. That simply means that the head of an institution, body or organisation is an information officer. The information officer is responsible for ensuring that records of the public body are accessible under the Act.

5. Does an information officer have to respond to a request for information?

The Access to Information Act 2005, Section (16) makes it a requirement for an Information officer to respond within 21 days to a request for information. In the event that a request has not been responded to within this time–frame, the AYG team will follow up with the responsible information officer to ensure that a response is posted accordingly.

Information requesters can also lodge a complaint to the Chief Magistrate if information is not provided within 21 days of request.

“An information officer is obligated to render reasonable assistance free of charge to citizens requesting records/ information”

6. What if information received does not meet my requirements?

There are a number of ways in which a requester can be disappointed with the response to an information request:

- ➔ You only get part of the information you asked for (but no formal refusal) or the information you are given is irrelevant or does not quite correspond to your question.
- ➔ You are refused access to all the information or documents that you asked for.
- ➔ You don't get any reply at all.

The requester will be given the chance to update the status of the request according to a list of categories and this will be published on the website against that request and public body.

Sometimes information is requested from the incorrect public body. In such instances, the information officer of the public body receiving the request has the duty to:

- a. Render any assistance necessary to enable the person requesting access to make the request to the information officer of the appropriate public body, or
- b. Transfer the request to the appropriate information officer, who shall process the information in accordance with the Act to enable the person to access the information.

After transferring the request (where the information requested can be accessed through another public body) the information officer shall inform the person requesting for information of the transfer of the request to another information officer, the reasons why such a transfer was made and the period within which the request shall be dealt with.

The website enables for a record of statistics indicating requests and quality of responses.

7. Can all information be accessed?

According to the Access to Information Act, the right to access information cannot be exercised if the information being sought is a

- a. Cabinet record or records of Cabinet Committees
- b. A record of court proceedings before the conclusion of the case

Information can also be denied where:

- a. The release of such information will prejudice the security of the state. This means where information is likely to affect the protection of the state or is likely to be used by wrong elements such as terrorists or rebels to the detriment of the state.
- b. The release of the information is likely to interfere or actually interferes with another person's right to privacy as provided for under article 27 of the constitution.
- c. Information revealing the personal health of another person other than the person requesting for it.

- d. Information revealing commercial or scientific information which can be harmful to the owner, such as intellectual property and original information.
- e. Where information involves a breach of duty of confidence such as information on health held by a doctor, information held by a lawyer about his client etc. or where there is an agreement between the person concerned and the officer revealing the information not to reveal.

8. Why a website?

The internet has increasingly become a source of information and a point of reference for both private and government sectors. The internet lowers the cost of communication and enables easy and swift communications between citizens and government officials. Instead of spending money on transport to a government office to ask for information, a citizen can make a request from their home or place of work, and the information officer can promptly receive the request.

In this digital age, websites form the foundation upon which other forms of media are used to engage with accessing and requesting information from various government offices.

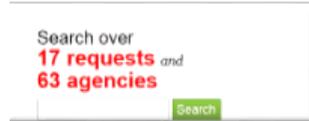
9. How does the Ask Your Gov website work?

The AYG website is an easy, fast and public platform that encourages the exchange of information between citizens and government bodies. The website is maintained by a team which is responsible for registering public bodies on the portal as well as following up on requests made to public bodies when the need arises.

The AYG website works in three simple steps:

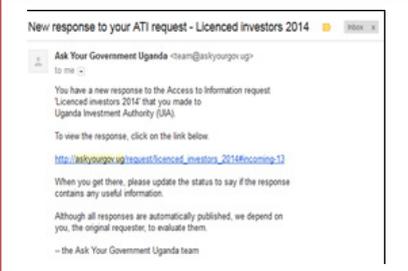
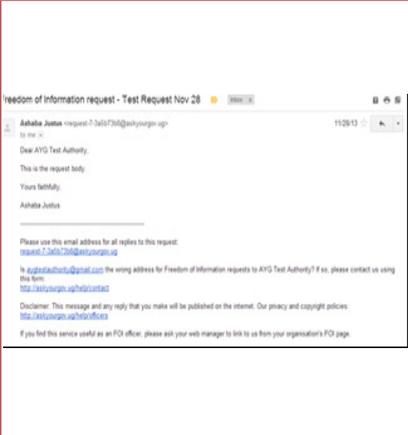
| Go to: www.askyourgov.ug | |
|---|--|
| www. | Register an account with the website. |
| Ask | An individual emails a query or information request to a specific government department. There are over 100 public bodies. |
| Your | The emailed query is shared publicly on the website while an email is sent directly to the relevant information officer |
| Gov | The information officer should respond to the email within 21 days. The response is also shared public on the site |
| .Ug | Information is readily available for citizens to refer to thereafter. |

Please note: It is always important to first **do a search** of the website to see whether someone else has previously made a similar request.



An example of how the website works is as follows.

| | |
|--|--|
| | <p>To use the website, one must first register a user name by signing up for an account. This will ensure that responses are received directly by the requester.</p> |
| | <p>Identify the government public body you wish to contact. Go to View Agencies to select the relevant public body (referred to as agency). There are over 100 listed agencies from which to select.</p> <p>Select the public body and an Ask for Information screen will appear.</p> |
| | <p>Enter your query or information request in the template provided. Ensure that you are clear in what you require from the information officer. Preview your request and then submit it.</p> <p>Your query will be sent to the information officer of that particular public body. The query will be visible to other users of the site.</p> |

| | |
|---|--|
|  | <p>When the relevant information officer responds to the query or request, an email will be sent notifying the user.</p> <p>The response will also be visible to users of the site.</p> <p>You can rate the quality of your response following receipt of the email.</p> |
| <p>*Information Officers</p> | |
|  | <p>When an information query or request has been submitted through the website an email titled ‘Freedom of Information request’ will be received by the information officer responsible for the relevant public body.</p> <p>Emails from the portal are sent from randomly generated addresses ending with @askyourgov.ug.</p> <p>To respond to the request, the information officer simply replies to the email with the necessary response to the requestor.</p> |

Ask Your Government (AYG) is an initiative of the Ministry of Information and National Guidance in partnership with the Africa Freedom of Information Centre (AFIC) and the Collaboration on International ICT Policy in East and Southern Africa (CIPESA) with the support of the World Bank and Open Society Foundations (OSF).



**OPEN SOCIETY
FOUNDATIONS**



Web: www.askyourgov.ug
Facebook: <https://www.facebook.com/askyourgovug>
Twitter: @AYGUganda
Hashtag: #AYGUganda
Email: team@askyourgov.ug

**Collaboration on
International ICT Policy in
East and Southern Africa
(CIPESA)**

Plot 156–158 Mutesa II Road,
Ntinda
Kampala, Uganda
Tel: [+256 414 289 502](tel:+256414289502)
Web: www.cipesa.org

**Ministry of Information and
National Guidance – Office of
the Prime Minister (OPM)**

Plot 9-11 Apollo Kaggawa Road,
Kampala, Uganda
Tel: [+256 417770500](tel:+256417770500)
Web: www.opm.go.ug

**Africa Freedom of
Information Centre (AFIC)**

Plot 5 Katago Road, Kamwokya
Kampala, Uganda
Tel: [+256 414 533554](tel:+256414533554)
Web: www.africafoicentre.org