

12 August 2022

To: All Media

FOR IMMEDIATE RELEASE

Information Commissioner Issues Decision 20/2022

On 12 August, the Information Commissioner issued [Decision 20/2022](#), Department of Public Lands and Buildings (the Department). The Applicant had submitted a public access to information (PATI) request for a copy of the title deed of Tudor Farms, an extensive area zoned as Agricultural Service and Open Space Reserve that was purchased by the Government in 1989. The Department administratively refused the PATI request under section 16(1)(a) of the PATI Act because the deed could not be found. In [Decision 20/2022](#), the Information Commissioner has affirmed the Department's refusal of access because the Department took all reasonable steps to locate the record before concluding that it could not be found.

[Decision 20/2022](#) describes the extensive, well thought-out, and rigorous searches the Department undertook of both its electronic and physical records to find the deed. As part of its response to the PATI request, the Department provided the Applicant with copies of several other documents pertaining to the Tudor Farm property, although it ultimately could not locate the requested title deed.

The Department shared the Applicant's concern that the title deed for Tudor Farms could not be found, and expressed that it will continue to watch for the deed during its work and will advise the Applicant if it locates the deed in the future. The Department has contacted the Attorney General's Chambers for assistance in dealing with the fact that the deed is missing.

In [Decision 20/2022](#), the Information Commissioner highlighted that a key purpose in the PATI Act is furthering the accountability of public authorities. Although the Applicant did not receive a copy of the requested title deed, the Applicant's PATI request brought to light that the Tudor Farms title deed is missing. The Department has also now taken it upon itself to address the issue and keep the Applicant informed. As a result, the Applicant is now better positioned to continue engaging with the Department concerning Tudor Farms beyond the context of this PATI request.

[Decision 20/2022](#) is available on ico.bm.

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Editor's Notes:

The ICO is an independent public office responsible for promoting the use of and overseeing compliance with the Public Access to Information (PATI) Act 2010. The PATI Act gives the public a right to access records held by public authorities, subject to listed exemptions and administrative grounds for denial of access. Individuals who are dissatisfied with the response of a public authority may seek a review by the Information Commissioner. The Information Commissioner shall investigate and the decisions by the Information Commissioner are legally binding.

Further information about the ICO is available at ico.bm.