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To: All Media

**FOR IMMEDIATE RELEASE**

**Information Commissioner Issues Decision 22/2022**

Hamilton, Bermuda. On 26 August 2022, the Information Commissioner issued [Decision 22/2022, Office of the Parliamentary Registrar \(Parliamentary Registry\)](#). The Applicant had submitted a public access to information (PATI) request in March 2021 for copies of the notices posted at every election hall, showing the names of each candidate, their proposer and their seconder, for the 2020 General Election (Public Notices).

The Parliamentary Registry administratively refused the PATI request under section 16(1)(a) of the PATI Act, explaining that the Public Notices could not be found. The Parliamentary Registry also refused access to the Nomination Papers (which contained information similar to what was included in the Public Notices) under section 37(1) of the PATI Act, because their disclosure was prohibited by the Parliamentary Election Act 1978 (Election Act).

In [Decision 22/2022](#), the Information Commissioner has affirmed the Parliamentary Registry's refusal of access to the Public Notices, being satisfied that the Registry had taken all reasonable steps to locate the records before concluding they could not be found. However, regarding the Nomination Papers, the Information Commissioner has reversed the Registry's refusal to disclose these records. She has found that the Parliamentary Registry was not justified in denying access to the Nomination Papers under section 37(1), because these records do not fall within the scope of documents captured by section 75 of the Election Act. The Information Commissioner has varied the basis of refusal in part, where the personal information exemption in section 23(1) of the PATI Act has properly applied.

In [Decision 22/2022](#), the Information Commissioner reiterated a note from [Decision 12/2018, Ministry of Finance Headquarters](#), where she stated: "As part of the good governance reforms in the public service to promote transparency and improve accountability, information previously protected as a matter of policy or practice within government is precisely the type of information to which the PATI Act now provides public access, unless it properly falls within a listed exemption."

The Commissioner has ordered the Registry to disclose the set of 86 Nomination Papers as redacted records, with exempt personal information removed, to the Applicant by Friday, 7 October 2022.

[Decision 22/2022](#) is available on [ico.bm](http://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](http://ico.bm).