

30 March 2021

To: All Media

FOR IMMEDIATE RELEASE

Information Commissioner Issued Decision 03/2021

Hamilton, Bermuda. On 19 March 2021, Information Commissioner Gitanjali Gutierrez issued [Decision 03/2021](#), Department of Immigration. The Information Commissioner found the Department did not respond to the Applicant's request for an internal review within the 6-week timeline prescribed by the PATI Act. But the Information Commissioner did not order the Department to take further steps, because the Department issued an internal review decision during the course of the Information Commissioner's independent review.

The Department explained that the Applicant's internal review request was genuinely overlooked. The initial decision by the Department to the Applicant granted access to all records responsive to the PATI request. This case is a good example on how failure to decide investigations and decisions by the Information Commissioner may help public authorities to keep track of overlooked PATI requests.

[Decision 03/2021](#) can be accessed online at www.ico.bm, along with all prior decisions.

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Editor's Notes:

In response to the recent increase in the number of positive cases of COVID-19 locally, out of an abundance of caution, the ICO is temporarily working in a remote environment. The ICO continues to provide services to the public and other stakeholders during regular business hours. The ICO may be reached by calling 543-3700 or emailing info@ico.bm.

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 www.ico.bm.