

30 August 2021

To: All Media

FOR IMMEDIATE RELEASE

Information Commissioner Issued Decision 07/2021

Hamilton, Bermuda. On 23 August 2021, Information Commissioner Gitanjali Gutierrez issued [Decision 07/2021](#), Department of Environment and Natural Resources. The Information Commissioner concluded that the Department did not respond to the Applicant's request for an internal review within the timeline required by the PATI Act. However, she did not issue an order requiring the Department to take further steps. This was due to the Department's prompt issuance of the internal review decision once the Information Commissioner's review commenced.

The Information Commissioner found the Department was not aware that the Permanent Secretary for the Ministry of Home Affairs was its Head of Authority for the purposes of the PATI Act. The Applicant's internal review request was not brought to the Head of Authority's attention at that time. Instead, the Department provided the Applicant with an additional response in reply to the internal review request. The Information Commissioner accepted that the Department's failure to bring the internal review request to the Head of Authority's attention as well as its additional correspondence were done in good faith.

This case serves as a good reminder to public authorities to familiarise themselves with the provisions of the PATI Act and to consult the [Minister's PATI Practice Code](#) when handling PATI requests.

[Decision 07/2021](#) can be accessed online at www.ico.bm, along with all prior decisions.

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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 www.ico.bm.