1. What is access to information?

The right of access to information is provided for under Article 35 of the Constitution of Kenya, 2010. The Article states that:

1. Every citizen has the right of access to –

(a) Information held by the State; and

(b) Information held by another person and required for the exercise or protection of any right or fundamental freedom.

The Article states that:

2. Who can exercise the right to access information?

Access to information is a right enjoyed by every citizen of the Republic of Kenya. The Article states that every citizen has the right of access to information as required above and that foreign citizen cannot enjoy the right in Kenya. Additionally, the Court has held that this right can be exercised by and on behalf of any person who requests for information.

3. Can I request for information from a private body?

Yes, you have the right to access information from both public and private entities. Section 3 of the Freedom of Access to Information Act provides that the government as well as any public or private body who has information that is held by them and affects the person.

4. Is there a specific office that deals with access to information?

Yes, there is a specific body that deals with access to information, the Office of the Information Commissioner. This office was established under the Freedom of Access to Information Act and has a mandate to implement and enforce the right to information.

5. In what form does the right to access information manifest?

The right to access information is manifested in the Constitution, the official secrets acts of 1970, the public archives and documentation service act of 1966, and the national archives act. These Acts do not give frameworks for the enjoyment of the right, but they provide the basic principles of the right to information. There are other Acts of Parliament that govern how access to information is to be regulated and enforced.

6. Is the right of access to information constitutional enough at county level and at national level?

Yes, the right of access to information is provided for under Article 35 of the Constitution of Kenya. The Article states that every citizen has the right of access to information as required above and that foreign citizen cannot enjoy the right in Kenya. Additionally, the Court has held that this right can be exercised by and on behalf of any person who requests for information.

7. What is the law governing access to information?

There are other Acts of Parliament that govern how access to information is to be regulated and enforced. These Acts provide for the basic principles of the right to information. There are other Acts of Parliament that govern how access to information is to be regulated and enforced. These Acts provide for the basic principles of the right to information. The Freedom of Access to Information Act provides that the government as well as any public or private body who has information that is held by them and affects the person.

8. Why is access to information important?

Access to information is important because it allows people to have access to the information they need to exercise their fundamental freedoms. Knowledge is power. Ensuring disclosure of – and access to – information can empower people and institutions to prevent and fight corruption. It is also important to the right to information?

9. What kind of information can I ask for under the right to information?

You can request for information from both public and private entities. Section 3 of the Freedom of Access to Information Act provides that the government as well as any public or private body who has information that is held by them and affects the person.

10. What are some of the limitations to the right to information?

You can request for information from both public and private entities. Section 3 of the Freedom of Access to Information Act provides that the government as well as any public or private body who has information that is held by them and affects the person.

11. How can I exercise my right to access information?

You can request for information from both public and private entities. Section 3 of the Freedom of Access to Information Act provides that the government as well as any public or private body who has information that is held by them and affects the person.

12. What are some of the benefits of exercising the right to information?

One of the main benefits of exercising the right to information is that it allows people to have access to the information they need to exercise their fundamental freedoms. Knowledge is power. Ensuring disclosure of – and access to – information can empower people and institutions to prevent and fight corruption. It is also important to the right to information?
14. When can an access to information requested be denied?

You can be denied access to information for the following reasons:

a. If it touches on matters of national security;

b. If it is the private or personal information of another person;

c. If the information is not required for the protection of another right.

15. Is it right for a public institution to charge a fee for accessing information?

Public institutions are allowed to charge fees for certain types of information to cover any printing or reproduction costs incurred. However, the fee charged should be reasonable and not inhibit access to information.

16. Can I appeal against a decision denying access to information?

Yes. If you are not satisfied with the decision of a public or private institution to refuse to provide information, then you can appeal the institution or file a constitutional case in court for violation of your right to access to information.

17. What can I do if my right of access to information is violated?

Because it is a constitutional right, a person whose right to information is violated can go to the Constitutional Division of the High Court for the enforcement of the right.

One can also file a complaint with the Commission on Administrative Justice (CAJ) which reviews decisions by public institutions and decides whether the decision reached was fair and lawful. You can also complain to the Kenya National Commission on Human Rights (KNCHR), which works for the protection of human rights.