



**LILONGWE WATER BOARD**  
***POTABLE WATER ALL THE TIME FOR ALL***

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**MALAWI ACCESS TO INFORMATION ACT**  
**LWB COMPLIANCE REQUIREMENTS**

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**LWB CMT**

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The Malawi Access to Information Act, enacted in 2017, is a piece of legislation aimed at promoting transparency, accountability, and good governance in the country. The act recognizes the right of Malawian citizens to access information held by Public Institutions and encourages proactive disclosure of information.

### **Objectives of the ATI Act**

1. Make provisions for access to information held by institutions.
2. Ensure that public bodies disclose information that they hold and provide in line with the constitutional principal of public trust and good governance.
3. Provide a framework to facilitate access to information by institutions.
4. Promote routine and systematic information disclosures by institutions.
5. Provide for the protection of persons who release information of public interest (whistle-blowers)
6. Facilitate civic education on the right to access to information.

### **Key Provisions of the Malawi Access to Information Act (2017):**

1. **Right to Access Information:** The act establishes the right of individuals to request and receive information held by public bodies, subject to certain exceptions.
2. **Proactive Disclosure:** Public institutions are required to proactively disclose certain categories of information, such as budgets, policies, and public contracts, to ensure transparency without the need for specific requests.
3. **Timelines for Response:** The act outlines specific timelines within which public institutions must respond to access to information requests, typically within 15 working days.
4. **Fees:** Public institutions can charge a reasonable fee for providing information, but this fee should not discourage citizens from accessing information.
5. **Protection of Sensitive Information:** The act recognizes the need to protect sensitive information, such as national security or personal privacy, while still promoting transparency.
6. **Appeals Process:** If a request for information is denied, the act provides for an appeals process where an independent body can review and overturn decisions.
7. **Penalties for Non-Compliance:** Public institutions and officials may face penalties and legal consequences for failing to comply with the act.

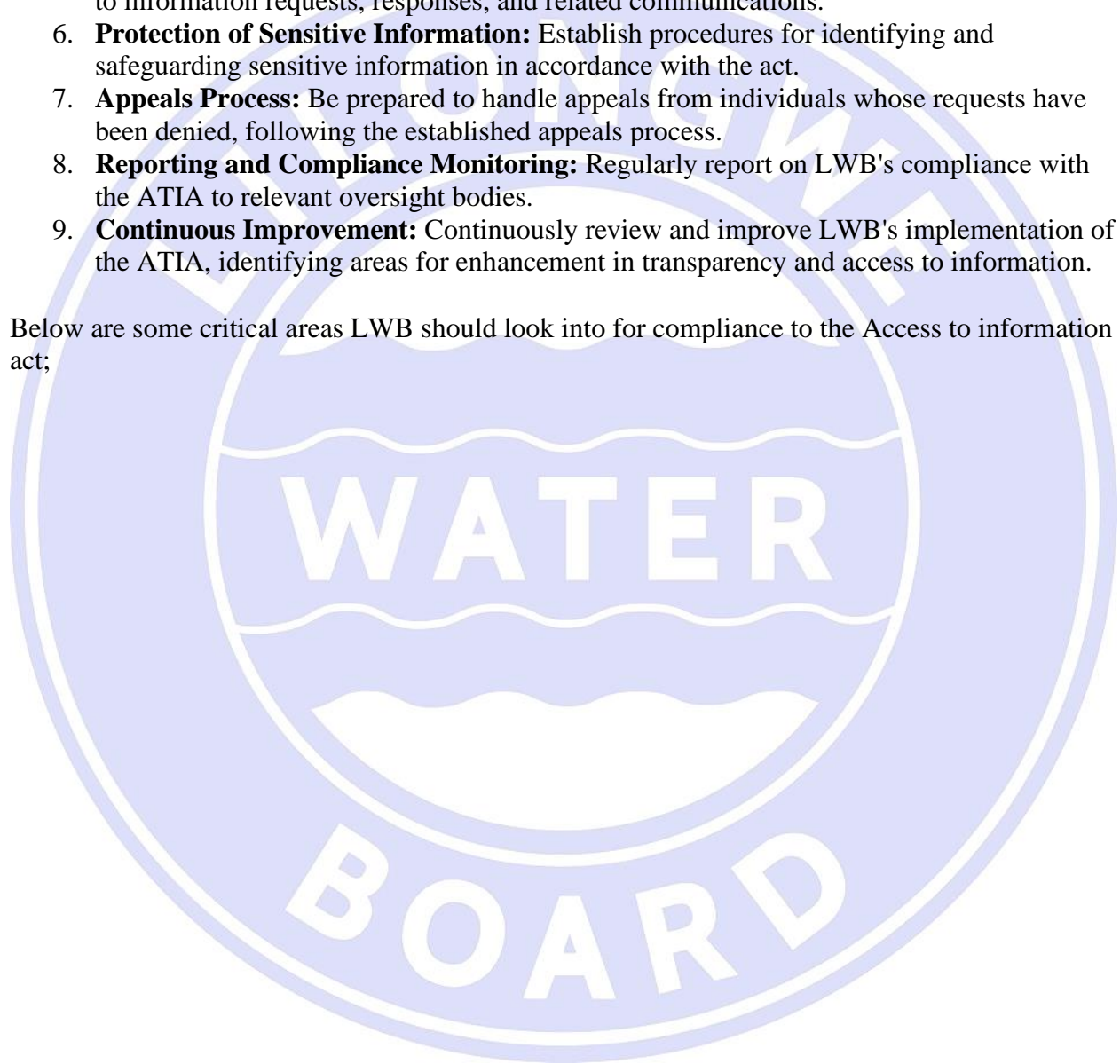
### **How Lilongwe Water Board (LWB) as an Organization Must Comply:**

As a public institution, the Lilongwe Water Board (LWB) is obligated to comply with the Malawi Access to Information Act. Here's how LWB can ensure compliance:

1. **Establish Access to Information Mechanisms** - LWB must establish clear and efficient mechanisms for receiving, processing, and responding to access to information requests from citizens. This includes designating an information officer responsible for handling requests.

2. **Proactive Disclosure** - LWB should identify the categories of information that must be proactively disclosed under the act and regularly update this information on its website or other platforms.
3. **Timely Responses** - Ensure that LWB responds to information requests within the specified timelines outlined in the act.
4. **Training and Awareness** - Provide training to LWB employees and officials on their responsibilities and obligations under the ATIA. Raise awareness within the organization about the importance of transparency and accountability.
5. **Recordkeeping** - Maintain accurate records and information, including records of access to information requests, responses, and related communications.
6. **Protection of Sensitive Information:** Establish procedures for identifying and safeguarding sensitive information in accordance with the act.
7. **Appeals Process:** Be prepared to handle appeals from individuals whose requests have been denied, following the established appeals process.
8. **Reporting and Compliance Monitoring:** Regularly report on LWB's compliance with the ATIA to relevant oversight bodies.
9. **Continuous Improvement:** Continuously review and improve LWB's implementation of the ATIA, identifying areas for enhancement in transparency and access to information.

Below are some critical areas LWB should look into for compliance to the Access to information act;

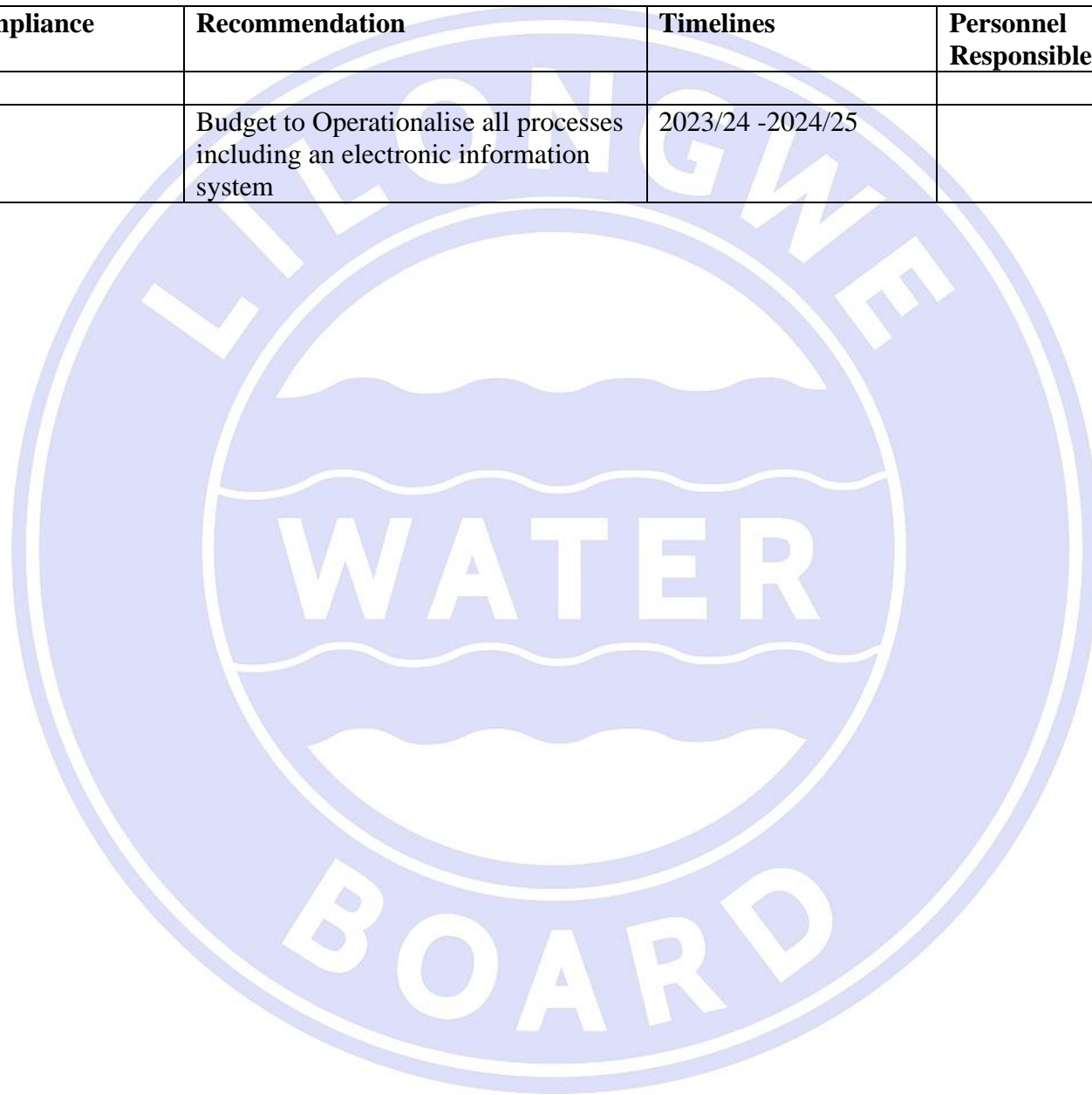


Areas requiring compliance	Recommendation	Timelines	Personnel Responsible	Budget
Appointment of an Information Officer within the 1 <sup>st</sup> year of the Act effectiveness. The head of an information holder shall appoint or designate an officer in middle to senior management, as an information officer.	LWB to appoint an Information Officer	Immediately	DCS	-
An information holder shall publish the name and contact details of its information officer on its website.	LWB to publish name of Information Officer	Immediately	DCS	
Notify the Ministry responsible the name and details of the appointed Information Officer	LWB to notify Ministry of Name of Information Officer	Immediately	DCS	-
within three (3) months from the end of a financial year, publish a summary annual progress report of the information holder for the previous year and a work plan for the following year.	LWB to develop a mechanism for reporting, select which information to be shared in the progress report	Annually	Information Officer (Acting CPM)	
Establishment of Access to Information Mechanisms for receiving, processing, and responding to access to information requests from citizens	Establish a system for information processing in respect to ATI Act	Immediately	To be led by DCS and Information Officer (Acting CPM),	-
Have an active website and digitize all records.	LWB Website should publish	October - November	ITO & PRO Information Officer	-
Develop an information manual accessible to the public and published on website	Develop and publish information manual of LWB website	October - November	Information Officer, PRO	



Areas requiring compliance	Recommendation	Timelines	Personnel Responsible	Budget
Keep information records of the institution for a period of seven years thereafter, transfer it to the National Archives.	Develop an information archive for information and records keeping	2023/24 Financial year	DCS, Information Officer	-
Train staff on access to information.	Engage MHRC to train Staff in ATI Act	October - November	DCS	
Proactively disclose information	Set up a mechanism to proactively disclose information as stipulated in the Act i.e. Public institutions must proactively disclose certain categories of information, as stipulated in the ATIA. Compliance involves identifying and regularly updating this information on their websites or through other means to ensure public access.	October – November	Information Officer	
Prepare information manuals for information held by the institution which can be disclosed.		October - November	Information Officer	
Submit the information manuals to the Commission.		Early December	Information Officer	
Categorisation of Sensitive Information		October - November	DCS/CMT	
Allocate resources within the annual budget to promote access to information		October - December	DOF/DCS/Information Officer	
Submit annual report to the Ministry of Information on performance of the institution according to the ATIA.		December	Information Officer	

Areas requiring compliance	Recommendation	Timelines	Personnel Responsible	Budget
	Budget to Operationalise all processes including an electronic information system	2023/24 -2024/25		MK 1.2Billion



## **ROLES AND RESPONSIBILITIES OF AN INFORMATION OFFICER**

1. Ensure that the institution attends to all requests for information within the prescribed time frame
2. Facilitate the publication of information that is required to be proactively disclosed
3. Facilitate the updating of information on the website of the institution
4. Work with the Public Relations Officer of an institution to ensure that information is accessible; and
5. Ensure that information that is disclosed is verified by the Head of the institution.
6. An Information Officer shall ensure that an institution keeps information in an organized and easily accessible manner.

