
PROCEDURE FOR HANDLING ACCESS TO INFORMATION REQUESTS AT KENTRADE

1.0 PURPOSE

This procedure sets out guidelines on how to handle Access to Information (ATI) requests at Kenya Trade Network Agency (KenTrade) as stipulated in the Access to Information Act No 31 of 2016.

2.0 SCOPE

This procedure shall apply to handling of requests/accessing information related to KenTrade and its mandate, and it is applicable to all stakeholders and the general public.

3.0 RESPONSIBILITY

The Chief Executive Officer (CEO) or any other Officer appointed by the CEO shall be the designated Information Access Officer (IAO) who shall ensure that the procedure is implemented and is adequate for its intended use.

4.0 REFERENCES

- 4.1 Access to Information Act No.31 of 2016
- 4.2 The Constitution of Kenya 2010 (Article 10, Article 33, Article 35, and Article 260).
- 4.3 KenTrade Strategic Plan 2015/16 – 2019/20
- 4.4 Commission on Administrative Justice Act No. 23 of 2011
- 4.5 KenTrade Service Delivery Charter
- 4.6 KenTrade Communication Policy
- 4.7 Human Resource and Administrative Policy & Procedure

5.0 ABBREVIATIONS

- | | | |
|-----|----------|--------------------------------------|
| 5.1 | KenTrade | Kenya Trade Network Agency |
| 5.2 | CEO | Chief Executive Officer |
| 5.3 | CAJ | Commission on Administrative Justice |
| 5.4 | IAO | Information Access Office |

6.0 TERMS AND DEFINITIONS

- 6.1 **Appeal** - request (s) for reconsideration or reversal of decision to be granted access to earlier denied information;
- 6.2 **Citizens** - any person who holds Kenyan citizenship, local entity that is controlled by one or more Kenyan citizens;
- 6.3 **Confidential Information** - information or material whose unauthorized disclosure could reasonably cause damage to the operations of the Agency;

- 6.4 **Information** - any information in written, visual, aural, electronic or any other material form;
- 6.5 **Public Officer** - any State Officer or any person, other than a State Officer, who holds a public office;
- 6.7 **Request (s)** - refers to any or particular kind of information sought related to the Agency, its structure, governance, operations and information concerning its work or information generated.
- 6.8 **Requestor** - any individual, organisation, partner, stakeholder, government or the general public seeking Information held by the Agency;
- 6.7 **Urgent Request** - information sought concerning the life or liberty of a person as provided for in the Access to Information Act, No 31 of 2016;
- 6.8 **Working Days** - These are Government designated official working days. Gazetted holidays and weekends shall not be taken as working Days.

7.0 METHOD

- 7.1 Information relating to the Agency's functions and responsibilities are available to the public and can be accessed from the Agency's website www.kentrade.go.ke. Information that is not available on/through the websites will be made available upon request;
- 7.2 All Information requests shall be addressed to;
The Chief Executive Officer or emailed through; info@kentrade.go.ke. Requests can also be delivered to the Agency's offices located at Embankment Plaza 1st Floor, Longonot Road Upper Hill, Nairobi.
- 7.3 The IAO shall record the details of requested information in the Agency's Request to Access Information Register within 24 hours upon the receipt of the request for information application.

Note: All Access to Information requests must be submitted in writing either in Kiswahili or English, in the event that the applicant is unable to read and write, or due to disability, the applicant is allowed to make oral requests. The receiving officer is required to put down the oral request in writing and make two copies where one will be handed to the applicant.
- 7.4 The IAO shall acknowledge receipt of the request for information within two (2) days and advise the applicant how to access the request to access information form and guide on how to fill it;
- 7.5 The IAO shall process urgent requests to the Agency within 48 hours upon receipt;
- 7.6 The IAO shall process ordinary requests and notify the requester within twenty-one (21) working days from the date of receipt or 48 hours if it concerns the life or liberty of a person.
- 7.7 Where the application refers to information held by another public institution, it shall be transferred to that public institution within five (5) days from the date of receipt and information of the referral communicated to the Applicant/Requester.
- 7.8 If it is not possible to handle a request within the above time limits, the IAO shall inform the Requestor of the reason why it needs more time and the estimated date for communicating the information concerned.

- 7.9 Request for Access to Information that is considered as confidential in nature, must be approved by the Chief Executive Officer before the disclosure of confidential information;
Note: *The Requestor will be required to sign the confidentiality form before the information is disclosed.*
- 7.10 If the requestor is dissatisfied with information provided, he/she can appeal to Commission on Administrative Justice (Office of the Ombudsman), who would be able to conduct investigations and make decision or conclusion. The decision made by Office of Ombudsman would be binding;
- 7.11 The IAO shall prepare a report on Access to Information and submit to the Commission on Administrative Justice (Office of the Ombudsman) on a quarterly basis using the prescribed forms from CAJ.

David Ngarama
CHIEF EXECUTIVE OFFICER