

ANNUAL REPORT 2024



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MESSAGE BY THE CHIEF INFORMATION COMMISSIONER (CIC)

I am pleased to report on another year of progress at the Information Commission. 2024 marked five (5) years since the Information Commission started operations. It was a year of transitions with changes to leadership, both at the Chief Executive Officer (CEO) and Information Commissioner (IC) levels.

I would like to sincerely thank all the staff, the long-serving Legal Counsel, the outgoing and incoming CEOs, the outgoing and incoming ICs, and the Minister for Information for your steadfast commitment and contribution.

Together, some of the critical milestones achieved were:

- 100% compliance on the 2018 Access to Information Act (ATIA) Section 49 (1)(d) quarterly publications on findings, recommendations, orders, decisions, and directives.
- 100% compliance of the ATIA Section 53 Information Manuals on proactive disclosure (newly piloted).
- 100% compliance of the ATIA Section 54 Reports on statistical information.
- 100% compliance of the ATIA Section 55 Reports on categories of information (newly piloted).
- Attentiveness to processes of due diligence, mediation, negotiation, investigation, and resolution of complaints and appeals on the ATIA and Data Protection Act (DPA).
- Sustaining discretionary audits of compliance on the ATIA.
- Expanded audits of public entity websites vis-a-vis the ATIA regulations on proactive disclosure (newly piloted).
- Policy development related to internal procedures for appeals, commissioners meetings, and ATIA reform whitepaper (new substantial foundational development).
- Active collaborations with networks such as the Open Government Partnerships (OGP) and National Integrity Coalition (NIC).
- Commitments to uphold good governance practices officiated by a Memorandum of Understanding (MoU) with the ACCS.
- Public engagement and research surveys.
- Awareness raising resource development on the role of an Information Officer (IO) versus a Press Release Officer (PRO).

The Information Commission has faced significant challenges with recruitment, adequate staffing, training, and capacity building for the recent Data Protection Act and overall, for the Access to Information Act as well. Critical financial and technical support is required to allow for a strong, agile, and responsible organization that is fully capable to deliver on its mandate and to respond to everincreasing demands. Despite the shortcomings, the Information Commission endeavors to focus positively on pragmatic steps to advance quality service delivery and remains optimistic for the future.

Finally, I wish to express my deep gratitude to all stakeholders for your continued trust and support as the Information Commission continues its forward journey.

Ms. Mumtaz H. Chaka Chief Information Commissioner

MESSAGE BY THE CHIEF EXECUTIVE OFFICER (CEO)

I am pleased to present the fourth Annual Report of the Information Commission, covering the implementation of the Access to Information Act 2018 (ATIA) and the Data Protection Act 2023 (DPA) for the year 2024.

2024 was a transformative year for the Commission, with significant progress made in advancing the ATIA's mandate. Increased access to information by requesters reflects the success of our education and awareness efforts, which have empowered Information Officers and Holders to address concerns effectively, reducing disputes.

Following the enactment of the DPA in December 2023, the first cases were received in early 2024, demonstrating strong public engagement with the new law. Education and awareness initiatives will be strengthened in 2025 to support this momentum and enhance data protection efforts.

The Commission also experienced internal changes, including a mid-year leadership transition and a renewed Commissioners mandate. Despite challenges, functions such as finance, administration, and records management continue to perform well.

Looking ahead, the development of the 2023-2025 strategic plan in 2025 will pave the way for a new strategy for 2026-2028, focusing on legal development, operational restructuring, education, digitalization, and relationship management. The Commission remains committed to ethical principles and confident in achieving its goals with the continued dedication of its team and stakeholders.

This report hereby presents the Information Commission's work on the implementation of its Access to Information (ATI) Act, and the Data Protection Act 2023, covering the period 1 January 2024 - 31 December 2024.

Alex Robert Chief Executive Officer

THE YEAR IN REVIEW

Overview

The Information Commission (InfoCom) administers two laws; the Access to Information Act 2018 (ATIA) and Data Protection Act 2023 (DPA). The purpose of this report is to highlight key activities and progress for the year 2024. The outline has been arranged in line with the Strategic Objectives of the 2023-2025 Strategic Plan.

The Access to Information Act 2018 (ATIA) bestows individuals right of access to information held by all public bodies, subject to specific exceptions. It aims to promote a culture of openness and accountability across the public sector, ensures individuals can request and receive information and also places a proactive obligation on governments to regularly publish and disseminate essential information to the public.

The Data Protection Act 2023 (DPA) protects individuals' privacy and safeguards their personal data. It grants individuals rights over their data, including the ability to access, correct, and delete it. Organizations responsible for controlling or processing data are obligated to ensure robust data security, maintain transparency regarding the collection, use, and storage of personal data, and uphold accountability in their data handling practices.

Strategic Objective 1:

To progress establishing, administering, and enforcing the ATIA and DPA.

1.1. Appeals, Complaints, and Consultations

1.1.1. ATIA

To ensure that the rights of all parties are duly protected, consistent and impartial procedures and systems are in place to allow aggrieved parties to seek solutions to these matters. The bar graph below illustrates the level of appeals, complaints, and consultations for 2024 alongside the longer-term period trend.



The Commission logged three (3) new appeals in 2024.

The processing times for appeals exhibited variations throughout 2024. One appeal, submitted at the start of the year, was resolved within the same month of its submission. Another appeal, received during the third quarter, required nearly four months to conclude due to extensive consultations with all relevant parties. Meanwhile, a third appeal remains ongoing as the Commission awaits further responses.

1.1.2. DPA

The InfoCom received four (4) data protection related cases. In general, the cases received were from the non-banking financial sector and involved investigations, consultations, mediation, and recommendations. The law is new and still in the process of being established.

1.2. ATIA Audits

Two types of audits were conducted; proactive disclosure specific to Section 5 and standard compliance of overall sections. The majority of audits focused on proactive disclosure and monitoring the progress of Statutory Instrument (SI) 18 of 2023. The audit assessed how well this was being implemented through the websites of various organizations. Additionally, standard compliance audits were carried out for two public bodies to review their overall compliance to the Access to Information Act (ATIA).

A total of 38 public organizations responsible for key government services and functions were included in the 2024 audit. The table below shows the types of audits carried out:

Types of Audit	Number of organizations
Proactive disclosure audit	36
Standard Compliance Audit	2

The audit found that 44% of the organizations were mostly compliant with SI 18 of 2023, 53% showed partial compliance indicating that while some progress has been made, gaps still exist in proactive disclosure, and 3% had major areas needing improvement showing low levels of compliance. Despite some challenges, including limited resources and budget constraints, most organizations have made efforts to publish key documents and information.

The findings will guide the Commission in planning future trainings and in tracking progress in proactive disclosure. It also provides a benchmark to track progress in future audits, identify areas where support is needed and support public bodies in achieving better compliance.

Overall, while progress is being made, there is still a need for greater consistency and effort to meet the full requirements of the ATIA and SI 18 of 2023 across all public institutions.

1.3. ATIA Reform Whitepaper

The InfoCom proposed a review and reform of the ATIA. The reform process started in 2022. In 2024, some key milestones were completed. Alongside other consultations, a public survey was designed and released in the first quarter of 2024. The collected feedback was analyzed in the second quarter and drafting of a whitepaper carried out in the third quarter. Finally, the whitepaper was completed in the fourth quarter and released widely for public feedback as well as to the Minister for Information, all 125+ Information Officers and Head of Information Holder in public bodies, the Attorney General's Office, key stakeholders of the police, and civil

society. The Whitepaper is available for public viewing on our website and media pages. Work will continue in 2025 to advance the reform processes.

1.4. Annual Report Presentation

On March 28th, 2024, the annual report for the 2023 period was officially presented to Vice President Ahmed Afif during a brief ceremony at the State House Office. The attendees included the Vice President, the Chief Information Commissioner (CIC), Information Commissioners, and CEO.

1.5. Other ATIA Reports

100% report compliance was met on the following sections:

- Section 53 Publication of Information Manual due 31st January
- Section 54 Statistical Annual Reports due 31st March
- Section 55 Proactive Disclosure Reports due 31st March

The InfoCom coordinated with approximately 125+ public entities as part of this process in quarter 1, 2, and 3 of 2024 to ensure all reports for 2023 were delivered. Due to various reasons and in some exceptional circumstances, a few reports were delayed although provided in due course. The 125+ individual reports for Section 54 and 55 reports have been compiled by the InfoCom into 1 main report. It is published on the InfoCom website and available for public viewing.

The graph below illustrates the compiled access to information performance.



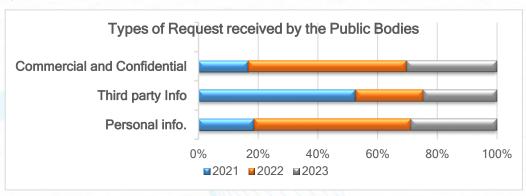
The data indicates that the number of ATI requests received and reported by information holders is gradually decreasing annually. The 2020 - 2021 period witnessed an 8% decrease in requests. This increased to 17% during the subsequent period. However, the decline accelerated over the 2022 - 2023 period whereby a 38% decline was recorded.

This may be attributable to a number of factors. The InfoCom's audit exercises indicate that pro-active dissemination of information through digital platforms is advancing and this could be a key factor for the reduction.

Top Ten Public Bodies Who Received the Most Request

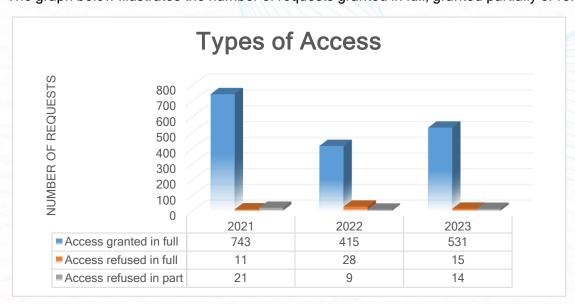
No	Public Body	2023	2022	2021
1	Department of Environment and Climate Change	98	47	62
2	Housing Financing Company(HFC)	83	14	7
3	Seychelles Licensing Authority (SLA)	69	48	201
4	Department of Immigration and Civil Status	54	0	19
5	Agriculture Department	46	84	__
6	Seychelles Defence Forces	43	153	188
7	National Assembly	29	19	8
8	Fair Trading Commission (FTC)	20	9	0
9	Seychelles Infrastructure Agency	20	51	0
10	Employment Department	17	6	0

Types of Request to Public Bodies



Release Rates by Public Bodies

The graph below illustrates the number of requests granted in full, granted partially or refused.



Strategic Objective 2

To increase individual and public institutional awareness of good governance linked to ATIA and DPA, role of the Information Commission and lawful rights.

2.1. Training for newly appointed information officers

On March 13th, 2024, a training session was conducted for newly appointed information officers. The session included five participants and provided an opportunity to deepen their understanding of their legal responsibilities under the Access to Information Act 2018. Additionally, the training allowed participants to seek clarifications on both general and specific concerns related to their roles. The training programs are ongoing efforts by the Information Commission to improve the capacity of information holders and information officers to provide good services. The statistical results for 2024 indicates that this has been successful.



Strategic Objective 3

To increase quality professional management tools and practices, including monitoring, evaluation and learning systems to measure performance effectiveness, deliver purposeful and knowledgeable evidence based results and guide sound actions.

3.1. International Women's Day 2024

On March 8th, 2024, the InfoCom team celebrated International Women's Day with a special in-house ceremony at the office. The event honored the team's seven remarkable women, who hold various roles across different levels within the organization.



3.2. Action Planning

In the last quarter of the year, the InfoCom conducted an action planning exercise. The purpose was to review progress of 2024, prepare strategically for 2025, and as a team building initiative. All members of the staff and Commissioners participated enthusiastically. The end product was in the form of a written plan facilitated by the CEO as a roadmap for 2025.

3.3. Human Resource Development

The InfoCom engaged in performance evaluation and monitoring, staff training and development. In addition to the above, the Commission undertook some exercises with the aim of reviewing remuneration packages and upgrading of staff posts.

Strategic Objective 4:

To increase collaborations, partnerships and networks to cultivate and support a wider enabling environment for good citizenship change, maximize and improve access to diverse resources, build capacities, transfer knowledge and good practices.

4.1. Workshop: Foresight and Systems Thinking for Strategic Planning and Financing for Sustainable Development Goals in Seychelles



4.2. Youth Engagement and Awareness

On March 15th, 2024, a focused discussion was held with a group of participants to explore strategies for enhancing youth engagement with the department's information. The session aimed to identify ways to increase awareness of the department's activities and improve the accessibility and appeal of its shared content. Various innovative approaches were considered to present information in more engaging and entertaining formats, encouraging young audiences to read, interact with, and share the materials on platforms they frequently use.



4.3. ACCS and InfoCom Memorandum of Understanding (MoU)

On the 6th of August 2024, the Information Commission and the Anti-Corruption Commission of Seychelles signed a memorandum of understanding (MOU). The two organizations share a common goal of tackling corruption in Seychelles. From the Access to Information legislation it administers, the Information Commission has a mandate of promoting Access to Information throughout the public sector; which promotes transparency. This is also an important element to ensure that activities and conduct of the organizations can be duly examined and remains accountable. The MOU sought to establish the agreed areas of co-operation, exchange of information and confidentiality standards to indirectly promote the same. In attendance for the event were senior representatives of both entities.



4.4. International Conference - Access to Information and Participation in the Public Sector



In celebration of the International Day For Universal Access To Information (IDUAI), the Information Analyst, attended a two-day conference (1st - 2nd October 2024) organized by the UNESCO in Accra, Ghana. The event focused on discussions around Access to Information and Participation in the Public Sector.

Ms. Accouche took the opportunity to learn from the best practices being applied by fellow participants and also to share the experience of the Information Commission and Seychelles in this domain.

It was also an opportunity to build professional relationships and network with the participants, facilitators and organizers such as the UNESCO who remains a supportive partner of the Information Commission and expert facilitator Mr. Toby Mendel who has a wealth of knowledge in the Access to Information field.

BUDGET (2024)

Summary of Preliminary Outturn

			20	24			Varia	ince
SR'000s	Budget	Revised Budget	Preliminary Outturn	Compensation of Employees	Use of Goods and Services	Capital	Revised Budget to Outturn (SR 000)	Revised Budget to Outturn (%)
P1: Information, Management and Administration	3,5269	3,529	3,529	1,333	1,531	-	124	4.1%
Total	2,987	2,987	2,863	1,333	1,531	-	124	4.1%

Budget Overview

Consolidated Expenditure Outturn

Table 1: Consolidated expenditure outturn

	2023		2024		Varia	nce
SR'000s	Audited Outturn	Budget	Revised Budget	Preliminary Outturn	Revised Budget to Outturn (SR 000)	Revised Budget to Outturn (%)
Programmes						
P1: Information, Management and						0.09
Administration	2,863	3,529	3,529	3,529	. 0	
Total	2,863	3,529	3,529	3,529	0	0.0%
Economic Classification						
CURRENT EXPENDITURE	2,863	3,529	3,529	3,062	467	13.29
Compensation of Employees	1,333	1,694	1,694	1,557	137	8.1°
Wages and Salaries in Cash	1,333	1,694	1,694	-	1,694	100.0
Wages and Salaries in Kind	-	-	-	-	-	0.0
Use of Goods and Services	1,531	1,834	1,834	1,505	329	18.0
Office Expenses	220	270	270	227	43	15.89
Transportation and Travel cost	30	49	49	40	9	18.9
Maintenance and Repairs	27	35	35	45	-10	27.3
Materials and Supplies	-	5	5	2	3	55.6
Other Uses of Goods and Services	1,202	1,404	1,404	1,181	8	15.9
Minor Capital Outlays	52	71	71	10	61	85.89
CAPITAL EXPENDITURE	•	-	•	-	-	0.0
Non-financial Assets	-	-	_	-	_	0.0
Building and Infrastructure	_	-	-	-	-	0.0
Machinery and Equipment	_	-	_	-	-	0.0
Other Fixed Assets	_	_	-	-	_	0.0
Non-produced Assets	<u>-</u>			-	<u>-</u>	0.0
Total	2,725	2,987	2,987	2,863	124	4.19

LIST OF ABBREVIATIONS

- InfoCom Information Commission
- ATIA Access to Information Act
- DPA Data Protection Act
- ATI Access to Information
- IO Information Officer
- HOIH Head of Information Holder
- MDA's Ministries, Departments, and Agencies
- SOP's Standard Operating Procedures

APPENDICES:

Annex 1: S.I Access to Information (Proactive Disclosures and Mandatory Publication) Regulations, 2023

[20th February 2023]

Access to Information

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REPUBLIC OF SEYCHELLES

SUPPLEMENT TO OFFICIAL GAZETTE

S.I. 18 of 2023

ACCESS TO INFORMATION

(Act 4 of 2018)

Access to Information (Proactive Disclosure and Mandatory Publication) Regulations, 2023

In exercise of the powers conferred by section 74(2)(d) as read with section 5 of the Access to Information, 2018, the Minister responsible for information makes the following regulations —

Citation

1. These Regulations may be cited as the Access to Information (Proactive Disclosure and Mandatory Publication) Regulations, 2023.

Mode of submission

2. The information required to be published under section 5(1), 5(2), 6(2), 49(1)(d) and 53(1) of the Act shall be done by the public bodies electronically through their publicly accessible websites.

MADE this 9th day of February, 2023.

AHMED AFIF MINISTER FOR INFORMATION **Annex 2: Annual Report Requirement for Information Officer Information Commission**



INFORMATON COMMISION

ACCESS TO INFORMATION ACT 2018

ANNUAL REPORT FOR THE YEAR 2024
PUBLISHED AND SUBMITTED 6TH JANUARY 2025

INTRODUCTION

The Information Commission is a self-governing, neutral and independent body and is not subject to the direction or control of any person or authority. It is a corporate body and perpetual succession and a common seal capable of suing and being sued in its name.

The Information Commission have the power to determine the nature, process and undertakings necessary to discharge its mandate in terms, as per Act and including all work necessary for the promotion, monitoring and protection of the right of access to information.

Mrs. Dina Antoine is the Information Officer for the Information Commission since September 2019 todate.

MISSION AND VISION OR MANDATE OF THE ORGANISATION

The Information Commission strives to promote awareness, educate and popularize the right to access to informat on and fosters good governance by enhancing transparency, accountability and 'ntegrity in the Public Service and Administration. The Commission aims to enforce the promotion, monitoring and protection of the right of access to informat'.

The Information Commission has, at its own discretion, the power to

- Resolve a matter through negotiation, conciliation or mediation where it deems such recourse appropriate
- Issue written orders obliging the production of information
- Do anything that deems necessary or appropriate for the execution of its mandate under this Act
- Determine the need for, form of and type of investigation required for the determination or any matter
- Examine, reproduce, take extracts from or bold information for as long as is necessary
- Require the production of information to which access has been refused on the basis of an exemption under Part III (3) for the purpose, of deciding whether it is an exempt document

For the protection on individuals with regard to the processing of personal data, to recognize the right to privacy envisaged in article 20 of the constitution, to promote and facilitate responsible and transparent flow of information by private and public entities and to provide for other related matters.

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ANNUAL REPORT REQUIREMENTS

SR No	ATI ACT REQUIREMENTS	No
1)	The total number of ATI requests for access received;	0
2)	TYPE OF INFORMATION	
	The number of requests for personal information	0
	The number of request for public domain information	0
	The number of request for third party information	0
	The number of request for commercial and confidential Information	0
	The number of request for law enforcement information	0
	The number of request for privileged documents	0
	The number of request for protection of life and safety of an individual information	0
	The number of request for National Security and defence	0
	The number of request for International relations	0
	The number of request for Economic interest of the state	0
	The number of request for Academic or professional examination and recruitment process information	0
	The number of request for proposal submitted to Cabinet	0
3)	The number of requests for access granted in full;	0
4)	The number of requests for access refuse in full;	0
	The number of requests for access refuse in part;	0
5)	The number of times each provision of Part III (EXEMPTIONS) was relied on to refuse access in full;	0
	The number of times each provision of Part III (EXEMPTIONS) was relied on to refuse access in part;	
6)	The number of request abandoned after request	

The number of request but no records exist
The number of cases in which the periods stipulated in section 11 were extended in terms of section 12;
The number of review applications lodged with the head of the information holder;
The number of reviews lodged on the ground that a request for access was regarded as having been refused in terms of section 14;
The number of cases in which, as a result of a review, access was given to information;
The number of request transferred to another Public Body
re is not applicable insert "0" or "N/A"
A description of the steps or efforts taken by the head of the body to encourage all officers of that body to comply with the provisions of

In view that right of Access to Information is the mandate of the Information Commission, staff are kept informed and updated in order to ensure that the right process to access information are done correctly and that our own records are in order.

Any facts which indicate an effort by the body to administer and implement the spirit and intention of the Act according to its submitted plan;

Staff members are able to assist the public with most information that they require, especially the procedures to follow to access information.

Pai	rticular	s of any	penalti	es impose	d again	st any p	erson	under th	is Act;
-1									
- 1									
	YES [□ NO		(If yes, li	st down	1)			
- 11									
									2.
									4
									\sim
									7
									8
IV. Pa	rticular	s of any	discipl	inary acti	on taker	again:	st any p	erson u	nder this
Ac									
YE	es 🗆	□ NO	M (I	f yes, list	down)				1
		_		w	,				
									4
4									

THE CATEGORIES OF INFORMATION (AS PER SECTION 55 OF THE ACCESS TO INFORMATION ACT)

LIST OF CATEGORIES	LOCATION OF THE INFORMATION
anuals, policies, procedures or rules or similar 1. instruments which have been prepared for, or are used by, officers of the body in discharging that body's functions, exercising powers and handling	Website: <u>www.infocom.sc</u>
complaints, making decisions or recommendations or providing advice to persons outside the body with espect to rights, privileges or benefits, or to bligations, penalties or other consequences, to or or which persons may be entitled or liable;	102/01
he name, designations and other particulars of the Information Officer of the public body, including his or her contact details and electronic addresses where persons may submit requests for information;	Website: <u>www.infocom.sc</u>
3. any prescribed forms, procedures, processes and rules for engagement by members of the public with the public body	Website: <u>www.infocom.sc</u>
4. the particulars of any arrangement, statutory or otherwise, that exists for consultation with, or representation by, members of the public in relation to the formulation or implementation of its policies, or similar documents;	Website: <u>www.infocom.sc</u>
5. where meetings of the public body, including its boards, councils, committees or similar other bodies are open to members of the public, the process for direct or indirect engagement and where a meeting is not open to the public, the contents of submissions received, the process for decision making and decisions reached	Office
6. detailed information on the design and execution of any subsidy programmes implemented with public funds, including the amounts allocated and expended, the criteria for accessing the subsidy, and the beneficiaries	Office
7. all contracts, licences, permits, authorisations and public-private partnerships granted by the public body;	Office
8. reports containing the results of surveys, studies or tests, including scientific or technical reports and	Office

environmental impact assessment reports, prepared by the public body;	
9. The particulars of its organisations, functions and duties;	Website: <u>www.infocom.sc</u>
10. Information containing interpretations or particulars of acts or policies administered by the body;	Website: <u>www.infocom.sc</u>
11. Details of its processes and procedures for creating, keeping, organizing and maintaining information;	Office
12. A list of all the categories of information held by it or under its control;	Website: <u>www.infocom.sc</u>
13. A directory of its employees including their powers, duties and titles, indicating the permanent staff, the temporary staff and the outsourced staff, recruitment procedures and vacancies;	Website: <u>www.infocom.sc</u>
14. The salary band for each public employee and officer, including the system of compensation as provided in its laws, and the procedures followed in its decision-making process, including channels of supervision and accountability;	Website: <u>www.infocom.sc</u>
15. A description of the composition, functions, and appointment procedures of the boards, councils, committees, and other bodies consisting of two or more persons, constituted for the purpose of advice to or managing the public body;	Website: <u>www.infocom.sc</u>
16. Detailed travel and hospitality expenses for each employee and officer, and gifts, hospitality, sponsorships or any other benefits received by each employee and officer;	Office
17. The detailed actual budget, revenue, expenditure and indebtedness for the current financial year, including all related estimates, plans, projections and reports, including audit reports;	Office
18. The annual report submitted to the information commission under section 54 of this act;	Website: <u>www.infocom.sc</u>
19. Any other relevant information	Office

CHALLENGES

Particulars of any difficulties encountered in the implementation of this Act in terms of the operation of the body, including issues of staffing and cost. This also should include the challenges you encounter as an Information O er.

RECOMMENDATIONS

I would like to recommend that refresher training workshop is done at least once a year in order to address any issues or difficulties encountered by the Information Officers.

1) DECLARA ION

n

I declare that in accordance to Section 54 of the Access to Information, Act 2018, the Annual Report are to the best of 1 y knowledge, true, accurate and complete as per the requirements.

Dina Antoine (Mrs.)

01,42,20

001 35

Name of Information Officer

Signature

Date

I confirm that this Annual Report is verified and true, accurate and complete to my knowledge as the Head of Information Holder of **Information Commission** on the date stated below.

X

06/01/2025

Date

Alex Robert (Mr.)

Name of Head of Information Holder

Signature

Dated this Monday 6th of January, 2025.



This report contains data in the form of written text, numerical statistics, and photographs of individuals or groups of individuals for the sole purpose of this report as described above.

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