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அமைச்சரவை அலுவலகம்

OFFICE OF THE CABINET OF MINISTERS

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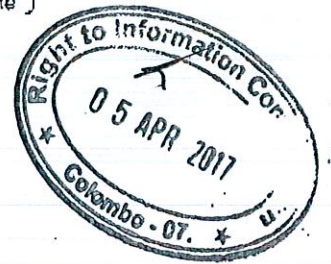
சூழரசல் கட்டிடம், சேர் பாரோன் ஜயதிலக்க
மாஸ்தகை, கொழும்பு 01.

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எனது இல. }
My No.

ඔබේ අංකය }
உமது இல. }
Your No.

දිනය } 2017-03-21
திகதி }
Date



Note to the Cabinet

Implementation of the Provisions of the Right to Information Act, No. 12 of 2016 by the Office of the Cabinet of Ministers

1. The provisions of the Right to Information Act, No. 12 of 2016 passed by Parliament of Sri Lanka and certified on the 04 of August 2016 are being implemented with effect from 03rd February 2017 as per the Notification published in Gazette (Extraordinary) No. 2002/42 dated 20th January 2017 by the Hon. Minister of Parliamentary Reforms and Mass Media. The Regulations and Rules required for the implementation of the Act, have been promulgated by the Gazette (Extraordinary) Notification No. 2004/66 dated 03rd February 2017.
2. Prior to the implementation of the said Act, all Cabinet decisions were considered as confidential documents. Therefore, Cabinet decisions were conveyed only to the Secretary to the relevant Ministry, the parties who are directly involved in the implementation of Cabinet decisions and others who should be informed of such decisions. For example, copies of a Cabinet decision sent to a Secretary to a Ministry are sent to the Secretary to the President, Secretary to the Prime Minister, Secretary to the Ministry of Finance and Secretaries to other relevant Ministries, Auditor General, Chief Secretaries to the Provinces as relevant, Provincial Governors, Secretary to the Public Service Commission, Chairman of the Public Utilities Commission, Chairman of the National Procurement Commission, Secretary General of Parliament, Secretary to the Leader of the House of Parliament and other relevant officers. In addition, Cabinet Memoranda and decisions were forwarded to the Attorney General when required in legal matters.

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3. With the implementation of the Right to Information Act, the Cabinet decisions and Memoranda that do not fall within the subjects specified under sub section (1) of section 5 of the Act, have to be made available to a citizen upon request. Therefore, according to the provisions of subsection (1) paragraph (a) of section 23, a Notification to the effect that Mr. Jude Nilukshan Senior Assistant Secretary to this office acts as the "Information Officer" (until a suitable officer is appointed to the vacant Additional Secretary post) and that the Secretary to the Cabinet is the "Designated Officer", is published in the website (www.cabinetoffice.gov.lk) of the Cabinet Office.
4. I would like to apprise the Cabinet of Ministers that when a request is received from a "citizen" in accordance with the Regulations and Rules in relation to the implementation of the Right to Information Act, published by the Hon. Minister in charge of the subject, action would be taken by the Secretary to the Cabinet to make available to such person, Cabinet decisions and documents referred to in the said decisions (i.e. Memoranda and Observations on which the said decisions were based). An extract of the said subsection (1) of section 5 is attached herewith as Schedule-I, for the special attention of the Cabinet of Ministers.
5. Since proactive disclosure mentioned in paragraph (e) of section 14 of the Act, is a unique feature of the concept of Open Government, in order to give effect to it, the Cabinet decisions announced by the Hon. Ministers acting as Cabinet Co-Spokesmen at the Media Briefings, out of the Cabinet decisions taken at the weekly Cabinet Meetings (which are to be confirmed at the next Meeting), are published in the website of the Cabinet Office in addition to the other facts required to be published therein as per the provisions of the Act and the Regulations and Rules made under it.
6. The above mentioned information is kindly submitted for the attention of the Cabinet of Ministers.

Sgnd./ Malthripala Sirisena
President