

**COMPARATIVE CHART: SELECT ACCESS TO INFORMATION LAWS  
AND THE JAMAICA ACCESS TO INFORMATION ACT OF 2002**

THE  
CARTER CENTER



*February 2006*

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ISSUE	JAMAICA *	MEXICO	TRINIDAD AND TOBAGO	SOUTH AFRICA	ONTARIO, CANADA
<p align="center"><b>S C O P E</b></p> <p>Which entities are obligated by law to disclose information?</p>	<p>All public authorities, including companies in which the government holds more than 50% of the shares or is in a position to influence the policy;*</p> <p>Any other body which provides services of a public nature that are essential to the welfare of the Jamaican society, as declared by the minister responsible for that public authority.</p> <p>*This act does not apply to Governor-General when acting in official capacity; to the courts; to security or intelligence services related to intelligence-gathering activities; or to any body by order of minister and affirmative resolution.</p>	<p>Those indicated in the constitutional federal public administration law, including the president of the republic, and decentralized administrative institutions, such as the Office of the Attorney General of the Republic, etc; any other federal body, federal executive branch, the federal legislative branch, federal judicial branch, the constitutional bodies, the federal administrative tribunals, and administrative units.</p>	<p>Public authorities, which is defined as Parliament, a Joint Select Committee of Parliament or committee of either houses; Court of Appeal, High Court, Industrial Court, the Tax Board or court of summary jurisdiction; Cabinet; a Ministry, department or division; Tobago House of Assembly, Executive Council or a division; municipal corporation; regional health authority; statutory body, responsibility for which is assigned to a Minister of Government; a company owned or controlled by the State; a Service Commission; a body corporate or unincorporated entity in relation to any function it exercises on behalf of the State, which is established by virtue of President's prerogative, by a Minister or by another public authority, or which is supported, directly or indirectly, by Government funds and over which Government is in position of control.</p> <p>The Act does not apply to President, commission of inquiry issued by President, or such public authority or function of a public authority as the President may by Order subject to negative resolution by Parliament, determine.</p>	<p>Public bodies, meaning any department of state or administration in the national, provincial, or sphere of government or any municipality in the local sphere of government or any other functionary or institution exercising a power or duty of the Constitution or provisional constitution exercising a public power or performing a public function in terms of any legislation; and private bodies, meaning any natural person or partnership which carries or has carried on any trade, business, or profession, or any former or existing juristic person.</p>	<p>The Act applies to the Assembly, ministry of the Government of Ontario, any agency, board, commission, corporation or other body designated as an institution in the regulations, as well as community colleges and district health councils.</p>
	<p>Who has the right to request information?</p>	<p>Any person.</p>	<p>Any person or their representative, including other government agencies. However, only citizens may request from the Federal Election Institute information related to the use of public resources by political parties.</p>	<p>Any person.</p>	<p>Any person. Public entities may also request access to the records of private entities on the grounds of public interest, such as when the record is required for the exercise or protection of any rights.</p>

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<p><b>P U B L I C A T I O N</b></p> <p>Which documents are subject to automatic publication?</p>	<p>An initial statement of its organization and functions containing the information specified in the First Schedule, including: a description of the subject area of the public authority; a list of the departments and agencies of the public authority; the title and business address of the principal officer; a statement of the manuals or other documents containing interpretations, rules, precedents, etc., that are provided by the public authority for the use of the authority or its officers in making decisions or recommendations with respect to rights, privileges, or benefits or to obligations, penalties, or other detriments to or for which persons are or may be entitled or subject.</p>	<p>The principle of publicity of information must be favored. With the exception of reserved or confidential information as provided in this law, the subjects compelled by the law must put at the public's disposition and keep up to date the following information: their structure, the powers of each administrative unit; a directory of public servants; the monthly remuneration received for each position, including the system of compensation as established in the corresponding dispositions; the address of the liaison section; their aims and objectives; services they offer; assigned budget, concessions, permits, or authorizations granted; contracts granted under the terms of the applicable legislation; etc.</p> <p>They must publish information on the amounts and persons to whom the public funds have been granted, the use of these funds, etc. Access to information requests and responses will be available to the public.</p>	<p>The Public Authority shall publish a statement setting out: particulars of the organization and functions, indicating decision-making powers and other powers affecting the public; categories of documents in possession of the public authority; material prepared for publication and places where persons may inspect or obtain material; the literature available by way of subscription services; procedure for requesting access to documents; the officer responsible within each public authority for the initial receipt of and action upon requests for access to documents; all bodies that are established to advise the public authority and whose meetings are open to the public or the minutes of meetings available for public inspection; if the public authority maintains a library available for public use. Those provided by a public authority for use or guidance of its officers in making decisions, or in providing advice to persons outside the public authority with respect to rights, privileges, benefits, obligations, penalties or other detriments being documents containing interpretations of written laws or schemes; manual, rules of procedures, statements of policy, records of decisions, letters of advice to persons outside the public authority; documents regarding enforcement of laws and schemes. Also statement of possession of documents: reports or statements containing advice or recommendations of a body or entity established within public authority, body established outside public authority by written law or Minister of Government, interdepartmental or Ministry committee, scientific expert, paid consultant etc., a report on performance of public authority, a report containing final plans or proposals for new policy, program, environmental impact statement, etc.</p>	<p><b>PUBLIC BODIES:</b> description of its structure and functions; address, phone, fax, and e-mail of all information officers and deputy information officers; sufficient detail to facilitate a request for access to a record; a guide to information in every official language; latest notice of records available without having to request access; description of categories of information held by the entity; description of the services the entity provides to the public and how to access services; description of any arrangement for a person who formulates policy or performs duties by consultation or otherwise; description of all remedies available in respect of an act or failure to act by the body and any other information.</p> <p><b>PRIVATE BODIES:</b> All of the above except the first and penultimate subsections and documents made available by other legislation..</p>	<p>Despite any other provision of this Act, a head shall, as soon as practicable, disclose any record to the public or persons affected if the head has reasonable and probable grounds to believe that it is in the public interest to do so and that the record reveals a grave environmental, health or safety hazard to the public. In addition, the responsible minister shall cause to be published annually an indexed compilation containing a description of the organization and responsibilities of each institution including details of the programs and functions of each division or branch of each institution; a list of the general classes or types of records prepared by or in the custody or control of each institution; the title, business telephone number and business address of the head of each institution; as well as manuals, directives or guidelines prepared by the institution, issued to its officers and containing interpretations of the provisions of any enactment or scheme administered by the institution; instructions to, and guidelines for, officers of the institution on the procedures to be followed, the methods to be employed or the objectives to be pursued in their administration or enforcement of the provisions of any enactment or scheme.</p>

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P U B	In what format should the information be published?	The principal officer of the authority shall cause copies of such documents to be made available for inspection and for purchase by members of the public and published at least annually in the <i>Gazette</i> .	The information must be made available to the public by remote and local electronic means. The subjects compelled by the law must place computer equipment at the disposal of interested persons.	Statements should be published in the Gazette and in a daily newspaper circulating in Trinidad and Tobago, updated every 12 months. In addition certain specified documents made available for inspection or purchase.	Published in a manual updated annually, if necessary, and available in at least three (3) official languages. With approval of the minister, if the information of two public bodies is connected, only one manual should be made.	The responsible minister shall cause the materials, other than those revealing grave environmental, health and safety hazard, to be made generally available for inspection and copying by the public in the reading room, library or office designated by each institution for this purpose.
L I C A T I O N	How should requests for access to information that has already been published be handled?	Where an official document is open to access by the public as part of a public register or otherwise or available for purchase by the public in accordance with administrative procedures, access to that document shall be obtained in accordance with those procedures.	The liaison units will not be obligated to process requests when the information is publicly available, but they must notify the requester in writing the source, place, and manner in which he can consult, reproduce, or obtain the information.	A person is not entitled to obtain a document through the request procedures for a document that contains information open to public access, as part of a public registry, available for purchase etc.	If access to a record is granted, but that record is to be published within ninety (90) days of the request; is required by law to be published but is yet to be published; or has been prepared for submission to any legislature or a particular person but is yet to be submitted, the information officer may defer giving access to the record for a reasonable period. The information officer must notify within 30 days.	A head may refuse to disclose a record where the record or the information contained in the record has been published or is currently available to the public; or the head believes on reasonable grounds that the record or the information contained in the record will be published by an institution within ninety days after the request is made or within such further period of time as may be necessary for printing or translating the material for the purpose of printing it.

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<p align="center"><b>I N F O R M A T I O N  R E Q U E S T S</b></p> <p>How does one request information from an entity covered under the law?</p>	<p>A person who wishes to obtain access to an official document shall make an application to the public authority that holds the document. The application may be made in writing, by telephone, or by other electronic means and shall provide such information concerning the document as is reasonably necessary to enable the public authority to identify it.</p> <p>An applicant shall not be required to give any reason for requesting access to that document.</p>	<p>Any person or his representative may submit a request for access to information either by writing a letter or using the forms approved by the institute (through paper or Internet). The request must contain:</p> <ul style="list-style-type: none"> <li>• the name of the person making the request and the means by which he can be contacted</li> <li>• a clear and precise description of the documents being requested</li> <li>• any other facts that may make the information easier to locate in order to facilitate the search</li> <li>• optionally, the form in which he prefers access to the information be granted; it may be verbally, as long as it is needed for the purpose giving guidance to the requester, simple or certified copies, or other means.</li> </ul> <p>In no case will the delivery of information be conditioned on a motive or justification for its use.</p>	<p>A person who wishes to obtain access to an official document shall make a request in the form set out in the Schedule to the relevant public authority, identifying the official document or provide sufficient information to identify the document with reasonable effort. A request may specify in which of the forms applicant wishes access.</p>	<p>A request must be made in the prescribed form to the information officer of the public body concerned at his or her address, fax number, or e-mail address. The form must at least require the requester to identify him- or herself and sufficient particulars to identify the record requested. The requester must also specify the form and language in which access is requested and the address or fax number of the requester.</p> <p>An individual who, because of illiteracy or disability, is unable to make a request as described above may make that request orally.</p> <p>An applicant is not required to give any reason for requesting access to the document.</p>	<p>A person seeking access to a record shall make a request in writing to the institution that the person believes has custody or control of the record; provide sufficient detail to enable an experienced employee of the institution, upon a reasonable effort, to identify the record; and at the time of making the request, pay the fee prescribed by the regulations.</p>

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<b>A D M I N I S T R A T I V E  R E S P O N S E S</b>	What procedure must public servants follow in responding to an access to information request?	A public authority to which an application is made shall, upon request, assist the applicant in identifying the documents to which the application relates, acknowledge receipt of every application in the prescribed manner, and grant to the applicant access to the document specified in the application if it is not an exempt document.	<p>The liaison section will be the link between the requester and the entity. When the liaison unit receives a request, they will turn it over to the administrative unit that may have the information.</p> <p>The obligation to provide access to information will be understood as discharged when the documents are placed at the disposition of the person making the request for his consultation in the site where they were found or when they are dispatched as simple copies, certified copies, or by any other means.</p>	Not mentioned in the law.	The information officer who receives the request must decide whether it is his responsibility to grant the request and advise the requester of the decision in the manner requested by the requester, as indicated in his/her request, if reasonably possible. If the request is made orally, the information officer must reduce oral request to writing. If the request is granted, a notice must state the access fee to be paid, the form in which access will be given, and information on mechanisms for lodging an internal or court appeal against the access fee to be paid. If not granted, the information officer must notify the applicant.	Where a person requests access to a record, the head of the institution to which the request is made or if a request is forwarded or transferred the head of the institution to which it is forwarded or transferred, shall within thirty days after the request is received, give written notice to the person who made the request as to whether or not access to the record or a part thereof will be given; and if access is to be given, give the person who made the request access to the record or part thereof, and where necessary for the purpose cause the record to be produced.
	What is the time limit for responding to requests?	A public authority shall respond in not more than thirty (30) days after the date of receipt of the application, with a possible extension of another thirty (30) days in any case where there is reasonable cause for such extension. In the case of an application transfer, an authority shall respond no later than thirty (30) days after the application is transferred to the appropriate agency.	<p>The entity must notify the requester of the response as soon as possible and in no case more than twenty (20) working days, counted from the date of the presentation of the request. This time limit may be extended for a period of up to equal length when justifiable reasons exist and the requester is notified.</p> <p>Once the requester is notified that the information is available, it must be delivered within ten (10) working days</p>	A public authority shall take reasonable steps to enable an applicant to be notified of approval or refusal of request as soon as practicable but in any case not later than thirty days after the day on which request is duly made.	A public authority shall respond in not more than thirty (30) days after receiving the request application, with a possible extension of another thirty (30) days in any case where there is reasonable cause.	The time limit is 30 days, but a head may extend the time limit for a period of time that is reasonable in the circumstances, where the request is for a large number of records or necessitates a search through a large number of records and meeting the time limit would unreasonably interfere with the operations of the institution; or consultations with a person outside the institution are necessary to comply with the request and cannot reasonably be completed within the time limit. Head must provide written notice with length of extension, reasons, and rights for review.

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<b>A D M I N I S T R A T I V E  R E S P O N S E S</b> <p>In what format should the requested information be provided?</p>	<p>Access may be granted in one or more of the following forms: inspection; document copy; arrangements to hear the sounds or view visual images; transcript of the data, words, sounds, and images, when possible.</p> <p>The document shall be given in the form requested, except when doing so would be detrimental to the preservation of document or infringe on copyright laws.</p>	<p>Access will be granted only in the form permitted by the document in question, but it will be provided in whole or in part at the request of the person seeking access</p>	<p>Access shall be given in the form requested, including inspection, printed copies, tape, disk, film, printed transcript etc. unless it would interfere unreasonably with the operations of the public authority; would be detrimental to the preservation of the document or having regard to the physical nature of the document would not be appropriate; or would involve an infringement if copyright subsisting in person other than the State.</p>	<p>The document must be given in the manner requested unless to do so interferes unreasonably with the effective administration of the public body concerned, is detrimental to the preservation of the record, or amounts to infringement of copyright.</p> <p>If the document exists in the language that the requester prefers, access must be given in that language. If it does not exist in the preferred language or if no preference was indicated, access must be given in any language in which the record exists.</p>	<p>Record means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and subject to the regulations, any record that is capable of being produced from a machine readable record under the control of an institution etc. A person who is given access to a record or a part thereof under this Act shall be given a copy unless it would not be reasonably practicable to reproduce the record or part thereof by reason of its length or nature, in which case the person shall be given an opportunity to examine the record or part thereof in accordance with the regulations.</p>
<p>What are the processes for transferring a request to another agency?</p>	<p>When the document is held by another entity or the subject matter is more closely connected with functions of another public authority, the entity shall transfer the application and immediately inform the applicant. Transfer should occur as soon as possible but no later than fourteen (14) days..</p>	<p>When the information sought does not fall within the purview of the entity or agency to which the request for information was presented, the liaison section must duly orient the individual as to which entity or agency is responsible. In some cases, the entity has the duty to transfer the request to the agency that holds the information.</p>	<p>Not mentioned in the law.</p>	<p>If a requested record is not under the control of the body from which it was requested, the officer who received the request must, within fourteen (14) days, transfer the request to the relevant public body. That body must prioritize the transferred request. The information officer must explain in writing the reason for the transfer.</p>	<p>Where an institution receives a request for access to a record and the head considers that another institution has a greater interest in the record, the head may transfer the request and, if necessary, the record to the other institution, within fifteen days after the request is received, in which case the head transferring the request shall give written notice of the transfer to the person who made the request. Where a request is forwarded or transferred, the request shall be deemed to have been made to the institution to which it is forwarded or transferred on the day the institution to which the request was originally made received</p>

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D E N I A L S	Does the law require an explanation of the reason for denying a request?	Yes. A denial or time extension response from a public authority shall state on the application the reasons and the appeal options available to an aggrieved applicant.	Yes. When the entity's committee has made a negative decision, it must provide the reasons for the denial and indicate to the requester the procedure that he may use to lodge an appeal.	Yes. Where there is a denial or deferment of request or document does not exist, the Public Authority must notify requestor in writing and state the findings and reasons for the decision; the name and designation of the person giving the decision; if exempt matter severed state that some parts deleted; inform of right to appeal; and where claim document does not exist or cannot be found inform of right to complain to the Ombudsman.	Yes. A denial notice must state adequate reason, including the provision of the act that indicates refusal; exclude any reference to the contents of the record; and state that the requester may lodge an appeal and the procedure for doing so.	Notice of refusal to give access to a record or a part thereof shall set out in writing where there is no such record, that there is no such record, and that the person who made the request may appeal to the Commissioner the question of whether such a record exists; or where there is such a record, the specific provision of this Act under which access is refused, the reason the provision applies to the record, the name and position of the person responsible for making the decision, and that the person who made the request may appeal to the Commissioner for a review of the decision.
	Under what other circumstances may a request for information be denied or deferred?	No other reasons for denial are mentioned in the law, other than exemptions.  Request for access may be deferred if publication of document required within specified time period, document prepared for Parliament, or premature release would be contrary to public interest.	In cases where the information cannot be found, the committee will draw up a resolution that confirms the nonexistence of the requested document and notify the person making the request.  The liaison sections will not be obliged to process offensive requests for access when they have delivered information that is substantively identical in response to a request from the same person, <b>etc.</b>	A request may be deferred if the document has been prepared for presentation to Parliament; for release to the media; or solely for inclusion in a document to be prepared for Parliament or the media and the document is yet to be presented or released. Where request is deferred the public authority shall indicate, as far as practicable, the period for which the deferment will operate. A public authority may refuse to grant access without processing the request, if satisfied that the work involved in processing the request would substantially and unreasonably divert the resources of the public authority from its other operations and if before refusing to provide information on these grounds the authority has taken reasonable steps to assist the applicant to reformulate the application so as to avoid causing such interference. Where request is in writing, the public authority shall not refuse to comply on ground that did not sufficiently name or identify the document without first giving the applicant reasonable opportunity of consultation with a view to making a request in a form that does comply.	If all reasonable steps have been taken to find a document and it is believed that the record cannot be found or does not exist, the information officer must, by way of affidavit, notify the requester.  An information officer may defer access when a document is to be published within 90 days, is required to be published but has not happened yet, or has been prepared for submission to any legislature or person but has yet to be submitted..	If the head of the institution is of the opinion on reasonable grounds that the request is frivolous or vexatious, he may deny the request and shall state in written notice that the request is refused because the head is of the opinion that the request is frivolous or vexatious; the reasons for the opinion; and right to request appeal to the Commissioner.

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<b>D E N I A L S</b>	Is there a provision for deemed denials?	Yes. A failure to give a decision within the time required by the act shall be considered	No, on the contrary. The failure to respond to a request for information within the specified time period will result in an affirmative decision for access, and the entity will be required to provide access to the information with 10 days, covering all costs.	Yes. The Act provides that a "decision of a public authority" includes the failure to take reasonable steps to enable an applicant to be notified of the approval or refusal of his request as soon as practicable but in any case not later than thirty days and failure to provide access to documents when requested, not exempt and prescribed fee paid.	Yes. If an information officer fails to give the decision on a request for access to the requester within the time period contemplated in the act, the information officer is regarded as having refused the request.	Yes. A head who fails to give the notice required concerning a record shall be deemed to have given notice of refusal to give access to the record on the last day of the period during which notice should have been given
	<b>R E S P O N S I B I L I T I E S &amp; S A N C T I O N S</b>	Is an information officer identified?	No. The law does not identify the requirement for an information officer.	Yes. The law requires that every agency designate a liaison entity responsible for automatic publication; receiving information requests; assisting requesters, etc. In addition, each agency will have an Information Committee responsible for coordinating and supervising the provision of information; confirming, modifying, or revoking classifications; establishing mechanisms for satisfying disclosure criteria, etc.	No. The law does not require the identification of an Information Officer.	Yes. Every public entity must designate an information officer and deputy information officers.
Is it required to publish a road map of information held by government?		Yes. A public authority shall publish a list of subjects handled by each department and agency at least annually in the <i>Gazette</i> .	Not mentioned in the law beyond the automatic publication.	Yes. A public authority shall publish in the <i>Gazette</i> and a locally circulated newspaper a statement of the categories of documents that are maintained in its possession.	Yes. The information officer must compile, in at least three official languages, a manual containing a description of subjects and issues on which the body holds records.	Yes. The responsible minister shall publish annually a compilation listing all institutions where a request for a record should be made; the name and office of the head; where the material that must be published has been made available; and whether the institution has a library or reading, and if so, its address.

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RESPONSIBILITIES & SANCTIONS	Does the law establish a requirement to help requesters?	Upon request, a public authority shall assist an applicant in identifying the documents to which the application relates.	The liaison unit must assist in the completion of information requests, in particular in cases where the requester does not know how to read or write.	A public authority shall take reasonable steps to assist any person in exercise of their rights under the Act.	Information officer must render reasonable assistance free of charge as necessary to enable the requester to comply with provision for form of request.	Yes. If the request does not sufficiently describe the record sought, the institution shall inform the applicant of the defect and shall offer assistance in reformulating the request so as to comply with subsection.
	What sanctions will be used against civil servants who fail to uphold the law?	Altering, defacing, blocking, erasing, destroying, or concealing accessible documents are punishable with a maximum J\$5,000 fine and/or up to six months imprisonment. In case of a <i>bona fide</i> belief that the grant of access is required by the act, no action for defamation or breach of confidence may be taken.	Civil servants will be held administratively liable for failure to comply; using, removing, altering, destroying, concealing, failing to use, disclosing, fraudulently classifying as confidential, etc. in an illegal manner information in their custody; intentionally denying information that is not classified, etc.; handing over information considered reserved or confidential, etc.	A person who willfully destroys or damages a record or document required to be maintained and preserved or knowingly destroys or damages a record or document while a request for access is pending commits an offence and is liable on summary conviction to a fine and imprisonment.  Where access to a document has been given in accordance with the requirements of this Act or in good faith no action for defamation, breach of confidence or infringement of copyright may be brought.	No person is criminally or civilly liable for anything done in good faith in the exercise of this act. A person who, with intent to deny access, destroys, damages or alters, conceals, or falsifies a record commits an offence and is liable on conviction to a fine or imprisonment not exceeding two (2) years.	A head or person acting on behalf of a head may be liable in respect of a tort.

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<p align="center"><b>C O S T S</b></p> <p>What costs must the requester pay?</p>	<p>The costs of reproducing any documents shall be borne by the applicant.</p>	<p>The costs of obtaining information may not be greater than the sum of: the cost of the materials used in reproducing the information, and the cost of sending it. The subjects compelled by the law must make an effort to reduce the costs of delivering the information.</p>	<p>No fee shall be charged for the making of a request for access to an official document but where access is to be given in the form of printed copies, or copies in some other form, such as on tape, disk, film or other material, the applicant shall pay the prescribed fee. The fees payable by the applicant shall be commensurate with the cost incurred in making documents available.</p>	<p>The requester must pay a prescribed fee for making a copy of the record or transcription; postal fee, if applicable; and the time reasonably required to search for the record and prepare the record. If search and preparation would require more hours than prescribed for this purpose, the information officer must, by notice, require a deposit. When a deposit is required, it must be repaid if access is denied. The information officer or head of the private body notifies the requester of the fee before executing the request.</p>	<p>A head shall require the person who makes a request for access to a record to pay fees in the amounts prescribed by the regulations for the costs of every hour of manual search required to locate a record; the costs of preparing the record for disclosure; computer and other costs incurred in locating, retrieving, processing and copying a record; shipping costs; and any other costs incurred in responding to a request for access to a record. The head of an institution shall, before giving access to a record, give the person requesting access a reasonable estimate of any amount that will be required to be paid under this Act that is over \$25.</p>
<p>Can a fee waiver be issued?</p>	<p>The responsible minister may waive, reduce, or remit the cost of reproducing documents where he is satisfied that such waiver, reduction, or remission is justifiable.</p>	<p>Yes, by appealing. The requester may lodge an appeal for review submitted to the Federal Institute of Access to Public Information when he is not in agreement with the cost of accessing the requested information.</p>	<p>There are no specific waiver provisions. However the law does provide that where a public authority fails to comply with the time periods any access to official documents to which the applicant is entitled shall be provided free of charge.</p>	<p>Yes. The minister may, by notice in the <i>Gazette</i>, exempt any person or category of people from paying the fees listed above, determine fee calculation methods, set fee limits, exempt categories of documents from certain fees, and limit excess collecting fees for requests of both public and private bodies.</p>	<p>A head shall waive the payment of all or any part of an amount required to be paid if, in the head's opinion, it is fair and equitable to do so after considering, the extent to which the actual cost of processing, collecting and copying the record varies from the amount of the payment required; whether the payment will cause a financial hardship for the person requesting the record; whether dissemination of the record will benefit public health or safety; and any other matter prescribed in the regulations.</p>

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<p>R E P O R T S</p> <p>How often should reports be made and what should they contain?</p>	<p>The minister shall prepare an annual report on the operation of the act during the year to be laid on table of Parliament, containing: the number of applications for access received, granted, deferred, refused, or granted subject to deletions; the categories of exemptions claimed and the numbers of each category; the number of applications received for amendment or annotation of personal records; the number of applications for internal review of relevant decisions and appeals against relevant decisions and the rate of success or failure thereof; other matters as are considered relevant. Each public authority shall submit to the minister quarterly reports containing the above information.</p>	<p>The Federal Access to Information Agency must submit a report to Congress on an annual basis based on data received from the entities described in Article 29 Section VII, including, at least, the number and types of information requests submitted to each entity and their resolution, including those in which it was not possible to locate the information in the files; the response time for different requests; the status of complaints that the institute presented to internal control mechanisms; and the observed difficulties of compliance with the law.</p>	<p>The Minister shall prepare an annual report to be laid before each House of the Parliament including the number of requests made to each public authority; the number of decisions that an applicant was not entitled to access to a document pursuant to a request, the provisions of this Act under which these decisions were made and the number of times each provision was invoked; the number of applications for judicial review; the number of complaints made to the Ombudsman; the number of notices and adverse decisions made regarding completeness of published statement of documents; particulars of any disciplinary action taken against any officer in respect of the administration of this Act; amount of charges collected; particulars of any reading room; and any other facts which indicate an effort by public authorities to administer and implement the spirit and intention of this Act.</p>	<p>The Human Rights Commission must include in its annual report to the National Assembly, referred to in the Constitution, among others: any recommendation for improvement of the act; the number of requests for access received, granted in full, granted under a public interest disclosure, or granted in part; the number of times each provision of the act was relied on to refuse access; the number of cases in which time periods were extended; the number of internal appeals lodged and their grounds; the number of applications made to every court and their outcome; the number of complaints lodged with the public protector.</p> <p>The information officer of each public body must annually submit report to the Human Rights Commission on the above information.</p>	<p>A head shall make an annual report to the Commissioner specifying the number of requests under this Act for access to records made to the institution; the number of refusals by the head to disclose a record, the provisions of this Act under which disclosure was refused and the number of occasions on which each provision was invoked; the number of uses or purposes for which personal information is disclosed; the amount of fees collected by the institution; and any other information indicating an effort by the institution to put into practice the purposes of this Act.</p> <p>The Commissioner shall make an annual report to the Speaker of the Assembly, providing a comprehensive review of the effectiveness of this Act including a summary of the nature and ultimate resolutions of appeals carried out, an assessment of the extent to which institutions are complying with this Act, and the Commissioner's recommendations with respect to the practices of particular institutions and with respect to proposed revisions to this Act. The Speaker shall cause the annual report to be laid before the Assembly if it is in session or shall deposit the report with the Clerk of the Assembly if the Assembly is not in session.</p>

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E X E M P T I O N S	What exemptions does the law specify?	The following official documents are exempt from disclosure:	Information is categorized as classified if its disclosure could:	A document is an exempt document if:	The information officer may refuse a request for access if the record's disclosure would:	A document is an exempt document if:
	Is there an exemption in the law with respect to national security/military	Information whose disclosure would prejudice security and defense.	Is there an exemption in the law with respect to national security/military	It contains information, the disclosure of which would be likely to prejudice the defense of the Republic of Trinidad and Tobago.	Records that could reasonably be expected to cause prejudice to defense or security of the republic; or a record that contains information relating to military tactics or strategy or military exercise or operations undertaken in preparation of hostilities or in connection with the detection, prevention, or suppression of hostilities; or relating to the quantity characteristics, etc., of weapons or other war-related equipment or to the capacity of the military or its personnel, etc.	A head may refuse to disclose a record where the disclosure could reasonably be expected to prejudice the defense of Canada or of any foreign state allied or associated with Canada or be injurious to the detection, prevention or suppression of espionage, sabotage or terrorism and shall not disclose any such record without the prior approval of the Executive Council.

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<p align="center">E X E M P T I O N S</p> <p>Is there an exemption in the law with respect to personal or private information?</p>	<p>Documents involving the unreasonable disclosure of information relating to the personal affairs of any person, whether living or dead.</p>	<p>The subjects compelled by the law may not disclose, distribute, or commercialize the personal information held in the information systems they have developed unless the individuals to whom the information refers have given express consent in writing or by similar authenticated means. The consent of individuals will not be required to supply personal information in the following cases: if necessary for scientific or statistical reasons and when name is not associated; when a judicial order to this effect exists; when a third party is contracted to provide a service which involves dealing with personal information; and in other cases established by the law, etc.</p>	<p>If its disclosure would involve the unreasonable disclosure of personal information of any individual (including a deceased individual), except in relation to documents related to the requestor.</p>	<p>Records that would involve the unreasonable disclosure of personal information about a third party, including a deceased individual.</p>	<p>A head shall refuse to disclose personal information to any person other than the individual to whom the information relates, except under specified exceptions.</p>

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<p align="center"><b>E X E M P T I O N S</b></p> <p>Is there an exemption in the law with respect to international relations?</p>	<p>Documents containing information communicated in confidence to the government by or on behalf of a foreign government or by an international organization, and documents that would prejudice international relations.</p>	<p>Information that would impair ongoing negotiations or international relations, including that information which other states or international organisms give as confidential to the Mexican state.</p>	<p>Disclosure under this Act would be contrary to the public interest and disclosure would prejudice relations between the Government of the Republic of Trinidad and Tobago and the government of any other State, international organization of States or a body thereof; would divulge any information or matter communicated in confidence by or on behalf of the government of another State, or communicated in confidence by or on behalf of an international organization of states or a body thereof.</p>	<p>Records that could reasonably be expected to cause a prejudice to the international relations of the republic or would reveal information supplied in confidence by another state or an international organization, supplied by or on behalf of the republic to another state or international organization in terms of arrangement or international agreement that requires information to be held in confidence, or required to be held in confidence by international agreement or customary international law.</p>	<p>A head may refuse to disclose a record where the disclosure could reasonably be expected to prejudice the conduct of intergovernmental relations by the Government of Ontario or an institution; reveal information received in confidence from another government or its agencies by an institution; or reveal information received in confidence from an international organization of states or a body thereof by an institution and shall not disclose any such record without the prior approval of the Executive Council.</p>
<p>Is there an exemption in the law with respect to the national economy?</p>	<p>Documents whose disclosure could have a substantial adverse effect on the Jamaican economy or the government's ability to manage the Jamaican economy, including but not limited to taxes, duties, interest rates, monetary policy and exchange rate policy, or currency rates, etc.</p>	<p>Information that would damage the country's financial, economic, or monetary stability.</p>	<p>Its premature disclosure would be contrary to the public interest by reason that the disclosure would be reasonably likely to have a substantial adverse effect on the economy of Trinidad and Tobago, including but not limited to, the premature disclosure of proposed introduction, abolition or variation of any tax, duty, interest rate, exchange rate or; instrument of economic management; its disclosure would be contrary to the financial interests of the public authority, reveal information to a competitor of the public authority, would be likely to prejudice the lawful commercial activities of the public authority, would be contrary to the public interest by reason that it would disclose instructions issued or criteria applied in negotiations etc.</p>	<p>Records whose disclosure would be likely to materially jeopardize the economic interests or the financial well-being of the republic or the ability of the government to manage the economy of the republic effectively in the best interest of the republic.</p>	<p>A head may refuse to disclose a record that contains trade secrets or financial, commercial, scientific or technical information that belongs to the Government of Ontario and has monetary value or potential monetary value; information obtained through research by an employee of an institution where the disclosure could reasonably be expected to deprive the employee of priority of publication; information where the disclosure could reasonably be expected to prejudice the economic interests or the competitive position of an institution; information where the disclosure could reasonably be expected to be injurious to the financial interests of the Government of Ontario or it's ability to manage the economy; positions, plans, procedures, criteria or instructions to be applied to any negotiations carried on by an institution or the Government of Ontario etc.</p>

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<p><b>E X E M P T I O N S</b></p> <p>Is there an exemption in the law with respect to police/domestic security?</p>	<p>Official documents relating to law enforcement are exempt from disclosure if their disclosure would, or could reasonably be expected to, endanger any person's life or safety, prejudice an investigation or trial, disclose the existence or identity of a confidential source of information, reveal lawful methods for preventing or investigating crimes, facilitate the escape of a person from lawful detention, or jeopardize the security of any correctional facilities.</p>	<p>Information that would seriously prejudice the verification of observance of the laws, the imparting of justice, the collection of taxes, and immigration control operations. Also, that which puts at risk the life, security, or health of any person.</p>	<p>It contains information, the disclosure of which would be likely to prejudice the lawful activities of the security or intelligence services. If its disclosure would, or would be reasonably likely to prejudice the investigation of a breach or possible breach of the law or prejudice the enforcement or proper administration of the law in a particular instance; disclose, or enable a person to ascertain, the identity of a confidential source of information in relation to the enforcement or administration of the law; disclose methods or procedures for preventing, detecting, investigating, or endanger the lives or physical safety of persons engaged in or in connection with law enforcement or persons who have provided confidential information in relation to the enforcement or administration of the law.</p>	<p>Records whose disclosure could reasonably be expected to prejudice investigation of a contravention of the law; to reveal identity of a confidential source of information in relation to enforcement or administration of the law; result in intimidation or coercion of a witness; facilitate commission of contravention of law; or prejudice or impair security of building structure or system, means of transport, or any other property. Methods, systems, plans, or procedures for the protection of a witness. Must refuse a request for access to a record if its disclosure could reasonably be expected to endanger the life or physical safety of an individual.</p>	<p>A head may refuse to disclose a record where the disclosure could reasonably be expected to interfere with a law enforcement matter; interfere with an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result; reveal investigative techniques and procedures currently in use or likely to be used in law enforcement; disclose the identity of a confidential source of information in respect of a law enforcement matter, or disclose information furnished only by the confidential source; endanger the life or physical safety of a law enforcement officer or any other person; interfere with the gathering of or reveal law enforcement intelligence information respecting organizations or persons; reveal a record which has been confiscated from a person by a peace officer in accordance with an Act or regulation; endanger the security of a building or the security of a vehicle carrying items, facilitate the escape from custody of a person who is under lawful detention; jeopardize the security of a centre for lawful detention; or facilitate the commission of an unlawful act or hamper the control of crime etc.</p>

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E X E M P T I O N S	Is there an exemption in the law with respect to the judicial process?	Not mentioned in the law.	<ul style="list-style-type: none"> <li>• Procedural strategies in judicial processes that are ongoing.</li> <li>• Judicial files or administrative procedures that have taken the form of a trial, where there has been no ruling.</li> </ul>	If its disclosure Act would, or would be reasonably likely to prejudice the fair trial of a person or the impartial adjudication of a particular case;	Records prohibited in terms of s. 60(14) in Criminal Procedures Act, if disclosure could reasonably be expected to prejudice effectiveness of methods, techniques, etc., of prosecution of alleged offenders; impede prosecution; or reveal lists of pending bail proceedings. If record is privileged from production in legal proceedings, unless waived. A record may not be refused insofar as it consists of information about the general conditions of detention of people in custody.	A head may refuse to disclose a record where the disclosure could reasonably be expected to deprive a person of the right to a fair trial or impartial adjudication.
	Is there an exemption in the law with respect to the deliberative process?	Documents which contain opinions, advice, or recommendations prepared for Cabinet or those documents for deliberations arising in course of Cabinet proceedings, but not when purely factual in nature or for study, tests, etc.	That which contains the opinions, recommendations, or points of view that are part of a public servant's deliberative process, until that time when a final decision is adopted, which itself must be documented.	It would disclose matter in the nature of opinion, advice or recommendation prepared by an officer of Government, or consultation or deliberation that has taken between officers, in the course of, or for the purpose of, the deliberative processes involved in the functions of a public authority; and would be contrary to the public interest. It is the official record of any deliberation or decision of Cabinet; prepared by a Minister of Government or on his behalf or by a public authority for the purpose of submission for consideration by Cabinet or a document which has been considered by Cabinet and which is related to issues that are or have been before Cabinet; prepared for the purpose of briefing a Minister of Government in relation to issues to be considered by Cabinet; a document that is a copy or draft of a document referred to above; a document the disclosure of which would involve the disclosure of any deliberation or decision of Cabinet, other than a document by which a decision of Cabinet was officially published.	Records that contain an opinion, advice, report, or recommendation obtained or prepared or an account for a consultation, discussion, or deliberation that has occurred for the purpose of assisting to formulate a policy or take a decision in exercise of power or performance of duty conferred or imposed by law if the disclosure could reasonably be expected to frustrate deliberative process by or between public bodies by inhibiting candid communication of opinion, advice, etc. or conduct of consultation, discussion, etc.	A head shall refuse to disclose a record where would reveal the deliberations of the Executive Council or its committees; containing policy options/ recommendations submitted or prepared for submission to the Executive Council or its committees including; record contains background or analyses of problems, prepared for consideration in making decisions; record regarding consultation among ministers on matters relating to gov't decisions or policy; prepared to brief a minister regarding matters before or proposed to be brought to the Exec Council or committees, or are subject of consultations among ministers relating to gov't decisions or policy; and draft legislation or regs, or reveal advice/recommendations of public servant or consultant. Etc.

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<p><b>E X E M P T I O N S</b></p> <p>Is there an exemption in the law with respect to banking/ commercial secrets?</p>	<p>Documents which would reveal trade secrets or any other information of a commercial value whose disclosure would diminish or destroy its value.</p>	<p>Commercial, industrial, bank, and fiduciary secrets or others considered as such by legal provisions.</p>	<p>Its disclosure would disclose information acquired by a public authority from a business, commercial or financial undertaking, and the information relates to trade secrets or other matters of a business, commercial or financial nature; or the disclosure of the information would be likely to expose the undertaking to disadvantage.</p> <p>It contains a trade secret of a public authority; or in the case of a public authority engaged in trade or commerce, information of a business, commercial or financial, nature, if disclosed be likely to expose the public authority to disadvantage; it contains the results of scientific or technical research undertaken by a public authority, and the research could lead to a patentable invention; the disclosure of the results of an incomplete state under this Act would be reasonably likely to expose a business, commercial or financial undertaking unreasonably to disadvantage; the disclosure of the results before the completion of the research would be reasonably likely to expose the public authority unreasonably to disadvantage.</p>	<p>Information about decision of regulation or supervision of financial institutions; trade secrets; financial, commercial, scientific, or technical information likely to cause harm to a third party or to a state or public body or that could reasonably be expected to put third party or the public body at disadvantage at contractual or other negotiations or prejudice in commercial competition.</p>	<p>A head shall refuse to disclose a record that reveals a trade secret or scientific, technical, commercial, or where the disclosure could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; result in similar information no longer being supplied to the institution where it is in the public interest that similar information continue to be so supplied; result in undue loss or gain to any person, group, committee or financial institution or agency.</p>
<p>Is there an exemption in the law with respect to reserved/ confidential information?</p>	<p>Not mentioned in the law</p>	<p>That which by a law's express provision is considered confidential, restricted, commercially restricted, or governmentally restricted.</p>	<p>Its disclosure would divulge any information or matter communicated in confidence by or on behalf of a person or a government to a public authority, and the information would be exempt information if it were generated by a public authority; or the disclosure of the information would be contrary to the public interest by reason that the disclosure would be reasonably likely to impair the ability of a public authority to obtain similar information in the future.</p>	<p>Must refuse request to access to record if the disclosure would constitute a breach of a duty of confidence owed to a third party in terms of an agreement or may refuse access to request if record consists of information supplied in confidence by third party, the disclosure of which could reasonably be expected to prejudice future supply of information, and it is in the public interest.</p>	<p>A head shall refuse to disclose a record that reveals financial information supplied in confidence implicitly or explicitly.</p>

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E X E M P T I O N S	Documents privileged from production in legal proceedings or those whose disclosure would constitute an actionable breach of confidence, be in contempt of court, or infringe the privileges of Parliament.	Not mentioned in the law.	If it is of such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege.	Information officer must refuse request for access to a record if privileged from production in legal proceedings, unless privilege waived.	A head may refuse to disclose a record that is subject to solicitor-client privilege or that was prepared by or for Crown counsel for use in giving legal advice or in contemplation of or for use in litigation, or that was prepared by or for counsel employed or retained by an educational institution for use in giving legal advice or in contemplation of or for use in litigation.
	A document whose disclosure could result in damage to a resource that is historical, archeological, anthropological; anything declared national monument; any species of plant or animal life in danger of extinction, threatened, or vulnerable; or any other rare or endangered living resource	Liability proceedings against public servants, as long as no administrative resolution or definitive jurisdictional ruling has been made.	It is an examination paper, a paper submitted by a student in the course of an examination, an examiner's report or similar document and the use or uses for which the document was prepared have not been completed. A document is an exempt document if there is in force a written law applying specifically to information of a kind contained in the document and prohibiting persons referred to in the written law from disclosing information of that kind, whether the prohibition is absolute or is subject to exceptions or qualifications.	<ul style="list-style-type: none"> <li>• Information obtained by or in possession of the South African Revenue Service with the purpose of enforcing legislation concerning the collection of revenue.</li> <li>• Computer programs that are property of the state.</li> </ul>	A head may refuse to disclose a record where the disclosure could reasonably be expected to seriously threaten the safety or health of an individual; where disclosure could reasonably be expected to lead to the killing, capturing, injuring or harassment of fish or wildlife that belong to a species at risk or to interference with the habitat of fish or wildlife that belong to a species at risk; a record that reveals information supplied to or the report of a conciliation officer, mediator, labor relations officer or other person appointed to resolve a labor relations dispute; a record that reveals questions that are to be used in an examination or test for an educational purpose
	A public interest exists for some exemptions, including deliberative process and heritage sites, etc., but does not exist for all exemptions.	Not mentioned in the law.	Yes. Notwithstanding any law to the contrary a public authority shall give access to an exempt document where there is reasonable evidence that significant abuse of authority or neglect in the performance of official duty; injustice to an individual; danger to the health or safety of an individual or of the public; or unauthorized use of public funds has or is likely to have occurred and if in the circumstances giving access to the document is justified in the public interest having regard both to any benefit and to any damage that may arise from doing so. In addition under the deliberative process exemption, notice of exemption shall state the public interest considerations on which the decision is based.	For several sections of the exemptions, the information officer must grant a request for access if the disclosure of the record would reveal evidence of a substantial contravention or failure to comply with the law or an imminent serious public safety or environmental risk and the public interest in the disclosure clearly outweighs the harm contemplated in the provision in question.	An exemption from disclosure of a record under sections related to advice to government/deliberative process, relations with other governments, third party information, economic and other interests of Ontario, danger to safety or health, personal privacy, and fish and wildlife species at risk does not apply where a compelling public interest in the disclosure of the record clearly outweighs the purpose of the exemption

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E X	Are there any other provisions in law that provide access regardless of exemption?	Not mentioned in the law.	Information may not be classified when the investigation of grave violations of fundamental rights or crimes against humanity is at stake.	Not mentioned in the law.	Not mentioned in the law.	Not mentioned in the law.
E M P T I O N	Does the law stipulate a period of declassification?	Yes. The exemption of an official document or a part thereof from disclosure shall not apply after the document has been in existence for twenty (20) years, or such shorter or longer period as the minister may specify by order subject to affirmative resolution.	Yes. Information classified as restricted may remain as such for a period of up to twelve (12) years and may be declassified when the causes from which its classified status originated cease to exist or when the period of classification is over. Exceptionally, subjects compelled by the law may request extension of the period of classification as long as the causes that gave rise to its classification persist.	Only with relation to exemption of Cabinet and deliberative process, which ceases to exist 10 years after came into existence.	Yes. A document may not be denied if it originated more than twenty (20) years before the request was made.	For documents related to deliberative process exemptions or advice and recommendations, the head should not refuse to disclose when the document is more than 20 years old.
S	Is it possible to separate information and grant that part which does not qualify as exempt?	Yes. Where an application is made to a public authority for an official document that contains exempt matter, the authority shall grant access to a copy of the document with the exempt matter deleted therefrom.	Yes. Administrative units may provide documents that contain information classified as restricted or confidential, as long as the documents in which the information appears permit the elimination of those parts or sections. In such cases, the parts or sections which have been withheld must be indicated.	Yes. Where it is practicable for the public authority to grant access to a copy of the document with such deletions as to make the copy not an exempt document; and it appears from the request, or the applicant subsequently indicates, that the applicant would wish to have access to such a copy, the public authority shall give the applicant access to such a copy of the document.	Yes. If a request for access is made to a public or private body containing information that may or must be refused in terms of exemptions, every part of the record that does not contain, and may reasonably be severed from any part that contains, exempt information must be disclosed.	Yes. If an institution receives a request for access to a record that contains information that falls within one of the exemptions and the head of the institution is not of the opinion that the request is frivolous or vexatious, the head shall disclose as much of the record as can reasonably be severed without disclosing the information that falls under one of the exemptions

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ISSUE		JAMAICA*	MÉXICO	TRINIDAD AND TOBAGO	SOUTH AFRICA	ONTARIO, CANADA
C O M P L I A N C E	Does the law provide for an internal appeal/review of decision?	Yes. An application for internal review must be presented within thirty (30) days of the date of notification of the decision or expiration of the request. The entity receiving the internal review may take any decision that could have been taken on an original application.	Yes. The head of the agency that classified the documents as restricted shall immediately refer the application, with the elements necessary to establish and motivate said classification, to the committee of the organization in order to confirm or revoke the classification.  In the case of a negative decision the reasons for classification must be given and appeal mechanism before IFAI should be indicated	No. But a person aggrieved by the refusal of a public authority to grant access to an official document, may, within twenty-one days of receiving notice complain in writing to the Ombudsman and the Ombudsman shall, after examining the document if it exists, make such recommendations with respect to the granting of access to the document as he thinks fit. A public authority is required to consider the recommendations of the Ombudsman and, to such extent as it thinks fit, exercise its discretion in giving effect to the recommendations.	Yes. An internal appeal must be lodged in the prescribed form within sixty (60) days and notice to third party within thirty (30) days. Request for appeal must be delivered or sent to the information officer of the corresponding public agency, identifying the subject matter and the reason for the appeal. The internal review shall be accompanied by payment of the prescribed appeal fee.	Not mentioned in the law.
	Does the law establish a process of appeal, following the internal appeal/review, to another enforcement body that is not a court of law?	Yes. An appeal against the internal review decision may be lodged in the Appeal Tribunal within sixty (60) days after notification of the decision.	Yes. The applicant or his representative may lodge an appeal before the institute which dealt with the request or the liaison section for a review of the classification within fifteen (15) working days of the date of notice.	A person aggrieved by a decision of a public authority under this Act may apply to the High Court for judicial review of the decision. The application shall be heard and determined by a Judge in Chambers, unless the Court, with the consent of the parties, directs otherwise	No. Once the internal review process has been exhausted, the applicant or a third party may initiate proceedings before a court. There is no intermediary body.	Yes. A person who has made a request for access to a record may appeal any decision of a head under this Act to the Commissioner within 30 days after notice of decision given.

\* This chart was done based on the Jamaica Access to Information Act of 2002. Information contained herein may change should any of these laws be amended.

**COMPARATIVE CHART: SELECT ACCESS TO INFORMATION LAWS  
AND THE JAMAICA ACCESS TO INFORMATION ACT OF 2002**

ISSUE		JAMAICA*	MÉXICO	TRINIDAD AND TOBAGO	SOUTH AFRICA	ONTARIO, CANADA
<b>COMPLIANCE</b>	What authority does the enforcement body have?	On the hearing of an appeal, the onus of justifying the decision of the internal review lies on the public authority. The Appeal Tribunal may make any decision that could have been made on the original application but shall not nullify a decision made by a minister.	The Federal Institute of Access to Information is an organ of the federal public administration with operative autonomy. For the purposes of its determinations, the institute shall not be subordinated to any authority and shall adopt its decisions with full independence.	Not mentioned in the law.	The court hearing an application may grant any order that is just and equitable, including orders confirming, amending, or setting aside the decision which is the subject of the application concerned; requiring action or to refrain from action; granting specific relief, etc. The burden of proof that the decision complies with the act rests with the party that claims it so complies.	The Commissioner may authorize a mediator to investigate the circumstances of any appeal and to try to effect a settlement of the matter under appeal; may conduct an inquiry to review the head's decision if the Commissioner has not authorized a mediator to conduct an investigation or has authorized a mediator to conduct an investigation but no settlement has been effected. In an inquiry, the Commissioner may require to be produced to the Commissioner and may examine any record that is in the custody or under the control of an institution. The Commissioner may summon and examine on oath any person who, in the Commissioner's opinion, may have information relating to the inquiry, and for that purpose the Commissioner may administer an oath. After all of the evidence for an inquiry has been received, the Commissioner shall make an order disposing of the issues raised by the appeal.
	<b>OTHER PROVISIONS</b>	Does the law require the designation of a coordinating entity?	Not mentioned in the law.	The law requires the designation of a public Federal Institute of Access to Information, made up of five commissioners. It is independent in its operations, budget, and decision-making and charged with promoting and publicizing the exercise of the right of access to information, ruling on the denial of requests for access to information and protecting personal information held by agencies and entities.	Not mentioned in the law.	Not mentioned in the law, although Human Rights Commission is responsible for monitoring implementation of act, making recommendations, and public education.

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<p align="center"><b>O T H E R  P R O V I S I O N S</b></p> <p>When does the law come into force?</p>	<p>Comes into operation on the day indicated by the minister by notice in the <i>Gazette</i>. This was originally one year but was later extended, and the law has gone into effect in a phased-in basis.</p>	<p>The law will take effect the day after its publication in the Official Diary of the Federation. The making public of information referred to in the law must be complete one year after the law takes effect. The heads of the agencies shall designate the liaison section and appoint the members of the committees to begin functioning no later than six months after the law has come into effect.</p>	<p>This Act comes into force on such date as fixed by the President by Proclamation. The Act was passed in 1999, and certain parts went into effect April 30 2001 and the rest on June 30<sup>th</sup>.</p>	<p>Minister must introduce a bill within 12 months after commencement of transitional agreements. For the first twelve (12) months from the date that the law takes effect, the maximum period of thirty (30) days to provide information shall be extended to ninety (90) days; and for the second twelve (12) months, the period of thirty (30) days shall be extended to sixty (60) days, except in cases where the period was already extended, in which case the 30-day provision shall remain in effect.</p>	<p>Not mentioned in the law.</p>

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THE  
CARTER CENTER



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