



## Replying to an FOI request and the Complaint Procedure

All FOI requests, whether received by email or directly submitted on the FOI portal are acknowledged. The countdown for a reply starts at the point of receiving the request.

### Replies to FOI requests

The Freedom of Information Officer (FOIO) of the respective public authority will review the request and the public authority will decide on whether to grant access or not to the documentation requested, according to the provisions of the Act. A reply may be accepted in full or partially accepted or not accepted.

When a request is accepted in full, the reply provided will include all the documentation requested and in the format requested by the applicant.

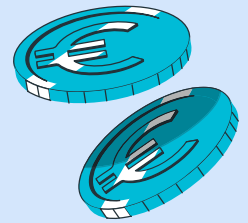
### Timeframes

A public authority is bound by the FOIA to take a decision on a request and inform the applicant about it within 20 working days from the date of submission. In certain situations, for instance when the request requires a search through a large number of documents or when consultations with third parties are needed in order to decide on the request, an extension of the timeframe is applied. The extension shall be of up to a maximum period of 40 working days from when the original request was received. The applicant shall be informed of such extension, its reason and when the request will be answered. The applicant has a right to lodge a complaint.



## Applicable fees

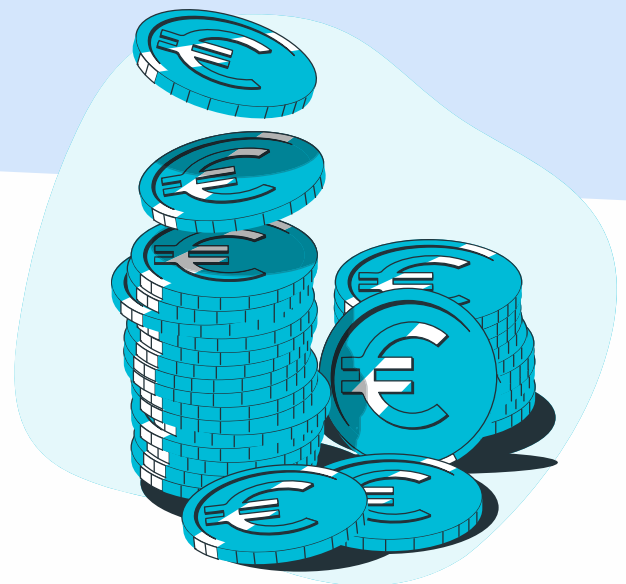
Submitting a request under the FOIA is free, however the public authority has the right to apply a fee to cover processing costs. The applicant will be informed accordingly. The amounts charged are regulated by **S.L.496.01**. The maximum amount that can be charged for a single FOI request is €40.



## Complaints

If applicants are not completely satisfied with the way the request was handled, they should first submit a complaint with the public authority through its internal complaints procedure (which can be found in the acknowledgement letter). A complaint should be submitted to the public authority, not later than thirty (30) days from the last communication or the act or omission giving rise to the complaint, whichever is the later date. The public authority must provide a reply to a complaint within ten (10) working days.

Should applicants remain dissatisfied with the public authorities decision, a complaint may be addressed to the Information & Data Protection Commissioner (IDPC). If one is still not satisfied with the outcome of the IDPC's decision, one may lodge an appeal with the Information and Data Protection Tribunal. Further to this, decisions of the Tribunal are subject to appeal to the Court of Appeal.



✉ [foicu@gov.mt](mailto:foicu@gov.mt)

🌐 <https://foi.gov.mt>

