

IMPLEMENTING THE PROACTIVE DISCLOSURE DUTIES

Assessment on the
Compliance of Proactive
Disclosure Obligations under
the Right to Information Act

Transparency Maldives is a non-partisan organization that promotes collaboration and awareness, and undertakes other initiatives to improve governance and eliminate corruption from the daily lives of people. Transparency Maldives views corruption as a systemic issue and advocates for institutional changes that will punish and prevent corruption.

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Every effort has been made to verify the accuracy of the information contained in this assessment. All information was believed to be correct as of September 2017. Nevertheless, Transparency Maldives cannot accept responsibility for the consequences of its use for other purposes on other contexts.

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1. Introduction

The right to information is one of the cornerstones of a functioning democracy. It increases transparency and accountability, without which it is impossible to foster an informed public that can effectively hold the government accountable. Article 29 of the Constitution of the Maldives guarantees the right of access to information as a fundamental human right. In order to fulfill this guarantee, the Maldivian Parliament enacted the Right to Information Act (RTI Act) in December 2013, becoming the 99th country in the world to have a right to information regime.

The Maldivian RTI Act is one of the strongest access to information laws in the world, currently ranked 13th (out of 111 countries) by the Global Right to Information Rating.¹ The Act provides comprehensive details on how a person (irrespective of their citizenship) and legal entities can request for information,² the appeal process,³ grounds for refusal to provide information,⁴ and sanctions imposed on Information Officers for failure to disclose information.⁵

The Act not only requires public bodies⁶ to provide information upon request, but also imposes a duty on those bodies to proactively disclose and publish information of public interest in an easily accessible manner, even before it has been requested for by the public. This ensures that the public have access to at a minimum set of information even if they do not formally request for it. Proactive disclosure also:

- Minimizes the time, money and effort required by the public to access important but routine information;
- Helps people better understand what information they can access and how and where to seek it;
- Reduces the overall number of individual requests that public bodies have to process to comply with RTI Act, thereby reducing the administrative burden on public bodies.

The RTI Act in Maldives is currently in its fourth year of implementation, but little has been done in monitoring the implementation of its proactive disclosure provisions. This assessment is an attempt at monitoring and documenting the compliance of selected public bodies with the proactive disclosure obligations under the RTI Act.

1 <http://www.rti-rating.org>

2 Chapter 3, Right to Information Act

3 Sections 41 and 59, Right to Information Act

4 Chapter 7, Right to Information Act

5 Section 64 and 71, Right to Information Act

6 According to the RTI Act, public bodies include the Executive, the Legislature, the Judiciary, independent institutions and institutes, security services, councils, those bodies that undertake responsibilities of the state, those functioning under the state budget and those receiving assistance from the state budget.

2. Legal Provisions for Proactive Disclosure

RTI Act

Chapter 8 (Dissemination of Information in the Act) of the RTI Act contains a very comprehensive proactive disclosure provision. The chapter encourages public bodies to put as much information as possible in the public domain voluntarily. Section 37 of this Act lists out the following 13 categories of information and documents that must be made available to the public proactively by public bodies:

- Details of the functions, responsibilities, structure and duties;
- Details of direct services provided or being provided to the public;
- Details of the mechanism of lodging a complaint at the public body in connection to a matter undertaken by that body, and details of the number of complaints received;
- Easily comprehensible details of how documents are managed;
- Information held or maintained, and the nature of its general publications, together with information on the procedure to follow to request for information;
- Responsibilities and duties of high ranking officials, their powers and scope of discretion, and procedures followed in decision-making within that scope;
- Rules, regulations, policies, principles, and norms used by the public body for discharging its responsibilities;
- Details of decisions taken that would affect the public, and the reasons for those decisions, their implications and details of their background;
- The manner in which suggestions and criticisms on decision-making can be exercised by the public and influenced in relation to the policies of those functions carried out by public bodies;
- The allocated budget, indicating the particulars of all plans, proposed expenditure and details of disbursements made;
- Individual remuneration and benefits received by all the employees;
- Norms followed by public bodies for the discharge of its functions;
- Stages and procedure followed in the decision making process, and the mechanisms for supervision and accountability.

Procedure and Standards of Disclosing Information

In accordance with Section 38 of the RTI Act (which requires the Information Commissioner to determine the minimum and maximum standards to be followed by public bodies in disclosing information), the Information Commissioner's Office in June 2015 gazetted the Procedures and Standards in Disclosing Information (ICOM Procedures)⁷. The procedures provide guiding notes on the RTI Act provisions on proactive disclosure, including the minimum standards to be followed in disclosing information.

⁷<http://www.rti-rating.org>

3. Methodology

The assessment was conducted as a desk review in which the websites of 30 public bodies were assessed under 10 principle indicators: Institutional, Organizational, Operational, Legislation, Service Delivery, Budget, Public Procurement and Contracts, Participation, Obtaining Information, and Remuneration.

The indicators were generated from proactive disclosure requirements in the RTI Act and grouped into 10 principle areas. The indicators provide a minimum level of proactive disclosure requirements public bodies must abide by. In other words, public bodies should ideally score 10 (the maximum score) from this assessment in order to have complied with the minimum criteria set out by the RTI Act.

The assessed public bodies received a score (1 for full compliance; 0.5 for partial compliance; and 0 for no compliance) for each indicator. Five performance bands (very weak: 0 - 2; weak: 2.1 - 4; average 4.1 - 6; strong: 6.1 - 8; very strong: 8.1 - 10) were defined to assess the overall quality of each public body's compliance.

Performance bands	Score
Very strong	8.1 – 10
Strong	6.1 – 8
Average	4.1 – 6
Weak	2.1 – 4
Very Weak	0 – 2

The public bodies selected for this assessment cover the three branches of the state and constitutional bodies. More specifically, it covers the following:

- **Legislature:** Parliament.
- **Executive:** President's Office and the Cabinet Ministries.
- **Judiciary:** Supreme Court, High Court, and four superior courts established under the Judicature Act.
- **Constitutional Bodies:** Independent bodies established under the Constitution of Maldives.

Legislature	Executive	Judiciary	Constitutional Bodies
Parliament	Attorney General's Office	Civil Court	Anti-Corruption Commission
	Ministry of Defence and National Security	Criminal Court	Auditor General's Office
	Ministry of Economic Development	Family Court	Civil Service Commission
	Ministry of Education	High Court	Elections Commission
	Ministry of Environment and Energy	Juvenile Court	Human Rights Commission
	Ministry of Finance and Treasury	Supreme Court	Judicial Service Commission
	Ministry of Fisheries and Agriculture		Prosecutor General's Office
	Ministry of Foreign Affairs		
	Ministry of Gender and Family		
	Ministry of Health		
	Ministry of Home Affairs		
	Ministry of Housing and Infrastructure		
	Ministry of Islamic Affairs		
	Ministry of Tourism		
Ministry of Youth and Sports			
President's Office			

The assessment was carried out during the first two weeks of September 2017. The findings of this assessment will be accurate up to 13 September 2017.

4. Findings

4.1 Overall Performance of Public Bodies

None of the public bodies assessed scored within the Very Strong performance band.

Anti-Corruption Commission and Attorney General's Office are the only public bodies that scored within the Strong performance band. They did well across most areas except for Budget, Public Procurement and Contracts, and Participation. In fact, no public body received the full compliance score in these three principle areas.

The public bodies that scored within the Very Weak performance band are Juvenile Court, Ministry of Islamic Affairs, and Ministry of Education.

The average score of all 30 public bodies that were assessed is 3.97. Taking into mind that a score of 10 is the minimum level of compliance mandated by the law (which no public body has scored), the average shows that the assessed public bodies collectively have not met even forty per cent of minimum compliance requirements for proactive disclosure.

The table below gives the scores for each individual public body in descending order.

Public body	Score
Attorney General's Office	7.5
Anti-Corruption Commission	6.5
Human Rights Commission	5.5
Ministry of Defence and National Security	5.5
Prosecutor General's Office	5.5
Civil Service Commission	5
Elections Commission	5
Ministry of Environment and Energy	5
Ministry of Gender and Family	5
Ministry of Tourism	5
Ministry of Health	4.5

Public body	Score
High Court	4
Ministry of Foreign Affairs	4
Ministry of Housing and Infrastructure	4
Supreme Court	4
Civil Court	3.5
Criminal Court	3.5
Judicial Services Commission	3.5
Ministry of Fisheries and Agriculture	3.5
Ministry of Home Affairs	3.5
Parliament	3.5
Auditor General's Office	3
Family Court	3
Ministry of Economic Development	3
Ministry of Finance and Treasury	3
President's Office	3
Ministry of Youth and Sports	2.5
Ministry of Education	2.5
Juvenile Court	2
Ministry of Islamic Affairs	2

4.2 Category Averages

The category averages show that the Executive, Legislature and Judiciary are in Weak performance band while constitutional bodies are in the Average band. The latter are collectively doing better at complying with proactive disclosure requirements while the three branches of the state need significant work done to make their websites RTI compliant.

Category	Average Score
Executive	3.9
Legislature	3.5
Judiciary	3.3
Constitutional Bodies	5.7

4.3 Areas Assessed

a) Institutional: Are the functions of the public body published?

Section 37(a) of the RTI Act states that public bodies have to publish details of their functions, responsibilities, structure and duties. This would normally include, amongst others, under what overall direction the office functions, the details of the matters that it exercises control over, and the organizational structure of the office. In addition, the ICOM Procedures include the vision, mission and mandate of the office.

Fully Compliant	Partially Compliant	Non-Compliant
Anti-Corruption Commission	Supreme Court	Ministry of Education
Attorney General’s Office		Ministry of Islamic Affairs
Auditor General’s Office		Ministry of Youth and Sports
Civil Court		President’s office
Civil Service Commission		
Criminal Court		
Elections Commission		
Family Court		
High Court		
Human Rights Commission		
Judicial Service Commission		
Juvenile Court		
Ministry of Defence and National Security		
Ministry of Economic Development		
Ministry of Environment and Energy		
Ministry of Finance and Treasury		
Ministry of Fisheries and Agriculture		
Ministry of Foreign Affairs		
Ministry of Gender and Family		

Fully Compliant	Partially Compliant	Non-Compliant
Ministry of Health Ministry of Home Affairs Ministry of Housing and Infrastructure Ministry of Tourism Parliament Prosecutor General's Office		

Most public bodies have published their vision, mission, and mandate on their websites. However, some public bodies have not fully complied with proactive disclosure requirements. For instance, Ministry of Education provides an organizational structure chart⁸, but its functions are not published. Ministry of Islamic Affairs only states its goals⁹, but does not mention any of its functions. Although the Supreme Court has no separate section in its website for its functions and/or mandate, the FAQ section mentions the court's mandate.¹⁰

⁸ <https://www.moe.gov.mv/departments>

⁹ <http://islamicaffairs.gov.mv/landudhandithah/>

¹⁰ <http://www.supremecourt.gov.mv/faq.php>

b) Organizational: Is Information on personnel, names and contacts of public officials published?

Section 3.1 of the ICOM Procedures require the disclosure of senior staff (including the department and division heads), employee directory (including their contact numbers and email addresses), and the names and addresses of board members.

Fully Compliant	Partially Compliant	Non-Compliant
Anti-Corruption Commission	Civil Court	Auditor General's Office
Attorney General's Office	Civil Service Commission	Criminal Court
Elections Commission	Judicial Service Commission	Family Court
High Court	Ministry of Defence and National Security	Juvenile Court
Human Rights Commission	Ministry of Fisheries and Agriculture	Ministry of Economic Development
Ministry of Environment and Energy	Ministry of Home Affairs	Ministry of Finance and Treasury
Ministry of Foreign Affairs	Ministry of Islamic Affairs	Ministry of Education
Ministry of Housing and Infrastructure	Ministry of Tourism	Ministry of Youth and Sports
Ministry of Gender and Family	Parliament	
Ministry of Health	President's Office	
Supreme Court	Prosecutor General's Office	

While the names and constituencies of members of parliament are disclosed on the Parliament's website, their contact details are not provided. There is no information available on the Secretary General and the Deputy Secretary General.

Ministry of Economic Development, Ministry of Education, Ministry of Finance and Treasury, and Ministry of Youth and Sports have not disclosed any details of their senior officials. Other than a profile of the Minister¹¹, the Ministry of Fisheries and Agriculture has not published any other details of its senior officials. Ministry of Health¹² and Ministry of Gender and Family¹³ have put up photos of their political officials, but their respective Permanent Secretary is not mentioned. Ministry of Islamic Affairs has disclosed the names, contact numbers and email addresses of its civil service staff¹⁴, but has not disclosed any details of personnel holding political positions in the ministry. The Attorney General's Office has a very comprehensive disclosure of information of its senior personnel on its website.¹⁵

¹¹ <http://www.fishagri.gov.mv/index.php/en/ministry/minister-fishagri-en>

¹² <http://health.gov.mv/Ministry>

¹³ <http://mlg.gov.mv/di/political-apponitees/>

¹⁴ <http://islamicaffairs.gov.mv/phone-numbers/>

¹⁵ <http://agoffice.gov.mv/v4/senior-management/>

Civil Court¹⁶, High Court¹⁷, and Supreme Court have disclosed the names of their judges, but have not disclosed the name of their respective registrar (although the Civil Court has provided a contact number of its registrar). The Criminal Court, Juvenile Court, and the Family Court have no information of their sitting judges or their respective registrar.

Auditor General's Office has disclosed the profiles of past auditor generals¹⁸, but has no profile of the current auditor general or any details of its senior staff. Judicial Service Commission has disclosed the names, position and photo of its members.¹⁹ However, the link to their email addresses is inaccessible. Anti-Corruption Commission²⁰ and Civil Service Commission²¹ have disclosed the names, designation, contact numbers and email addresses of their senior staff, but only mention the names and profiles (with no contact details) of their commission members.

¹⁶ <http://www.civilcourt.gov.mv/3/index.php/2014-04-06-05-27-48/2013-12-29-06-04-43>

¹⁷ <http://highcourt.gov.mv/dhi/page.php?title=fandiyaaru>

¹⁸ <http://www.audit.gov.mv/past-auditor-generals.aspx>

¹⁹ <http://jsc.gov.mv/jsc/members>

²⁰ <https://acc.gov.mv/%DE%90%DE%AC%DE%86%DE%B0%DE%9D%DE%A6%DE%82%DE%B0%DE%8C%DE%A6%DE%86%DE%AA%DE%8E%DE%AC-%DE%88%DE%AC%DE%83%DE%A8%DE%82%DE%B0>

²¹ <http://www.csc.gov.mv/dv/organizations/smt>

c) Operational: Are any strategies, plans or policies published?

Section 37(g) of the RTI Act states, among others, that public bodies have to publish the “policies, principles and norms” used by public bodies for discharging their responsibilities. Section 3.8 of the ICOM Procedures states that strategic plans have to be disclosed to the public.

Fully Compliant	Partially Compliant	Non-Compliant
Anti-Corruption Commission	Criminal Court	Civil Court
Attorney General's Office	Ministry of Defence and National Security	Elections Commission
Auditor General's Office	Ministry of Education	Family Court
Civil Service Commission	Ministry of Gender and Family	High Court
Human Rights Commission	Ministry of Health	Judicial Service Commission
Ministry of Environment and Energy	Ministry of Housing and Infrastructure	Juvenile Court
Ministry of Foreign Affairs	Ministry of Tourism	Ministry of Economic Development
Ministry of Youth and Sports	President's Office	Ministry of Finance and Treasury
Prosecutor General's Office	Supreme Court	Ministry of Fisheries and Agriculture
		Ministry of Home Affairs
		Ministry of Islamic Affairs

Although Ministry of Health has not published a strategic/action plan for the whole ministry, it has published plans for specific areas – for example, Action Plan for Prevention and Control of Non-Communicable Diseases (NCD)²², Reproductive Health Strategic Plan²³, and the National Nutrition Action Plan.²⁴ Apart from the publication of a Defence White Paper in 2012²⁵, the Ministry of Defence and National Security has not disclosed any strategic or action plans. Ministry of Environment and Energy published updated plans on strategies for individual sectors.²⁶ Ministry of Education has disclosed some policies and procedures²⁷, but has not published any strategic or action plans. The only document relating to a strategic or action plan on the Ministry of Housing and Infrastructure website is the ‘Aneh Dhivehi Raajje’ Strategic Action Plan (2009-2013).

The Criminal Court has published some policies and procedures, but has not disclosed any strategic or action plans.

²² [http://health.gov.mv/Uploads/Downloads//Informations/Informations\(48\).pdf](http://health.gov.mv/Uploads/Downloads//Informations/Informations(48).pdf)

²³ [http://health.gov.mv/Uploads/Downloads//Informations/Informations\(47\).pdf](http://health.gov.mv/Uploads/Downloads//Informations/Informations(47).pdf)

²⁴ [http://health.gov.mv/Uploads/Downloads//Informations/Informations\(45\).pdf](http://health.gov.mv/Uploads/Downloads//Informations/Informations(45).pdf)

²⁵ <http://www.defence.gov.mv/file.php?fileId=25>

²⁶ <http://www.environment.gov.mv/v2/en/types/publications?filter-search=strategy+>

²⁷ <https://www.moe.gov.mv/category/view/10>

d) Legislation: Are the laws governing the public body's operations published?

Section 37(g) of the RTI Act has an obligation on public bodies to publish the rules and regulations governing their operations. This also includes legislations that each public body administers.

Fully Compliant	Partially Compliant	Non-Compliant
Anti-Corruption Commission	Auditor General's Office	Juvenile Court
Attorney General's Office	Ministry of Youth and Sports	Ministry of Education
Civil Court		Ministry of Environment and Energy
Civil Service Commission		Ministry of Foreign Affairs
Criminal Court		Ministry of Housing and Infrastructure
Elections Commission		Ministry of Islamic Affairs
Family Court		
High Court		
Human Rights Commission		
Judicial Service Commission		
Ministry of Defence and National Security		
Ministry of Economic Development		
Ministry of Finance and Treasury		
Ministry of Fisheries and Agriculture		
Ministry of Gender and Family		
Ministry of Health		
Ministry of Home Affairs		
Ministry of Tourism		
Parliament		

Fully Compliant	Partially Compliant	Non-Compliant
President's Office Prosecutor General's Office Supreme Court		

More than 70 per cent of the public bodies that were assessed have complied with this requirement, while a fifth of public bodies have not complied at all. Auditor General's Office has published the Audit Act, but the section on Internal Regulations is left blank.²⁸

The screenshot shows the Auditor General's Office website. At the top, there is a navigation menu with links: Home, About, Our Work, Reports, Certified Auditors, Declaration of Assets, Media, Downloads, and Contact. Below the menu is the 'AGO INTERNAL REGULATIONS' section. It includes a search bar with '15 records' and a search input field. To the right, there are three checked checkboxes: 'The Constitution', 'Enabling Laws', and 'AGO Internal Regulations'. Below the search bar, it states 'No data available in table' and 'Showing 0 to 0 of 0 entries'. The footer contains contact information for the Auditor General's Office, quick links to various departments, and a newsletter subscription form.

Screenshot taken from Auditor General's Office website.

²⁸ <http://www.audit.gov.mv/ago-internal-regulations.aspx>

e) Service Delivery: Are the descriptions of services offered, including forms required to be filled out published?

Section 37(b) of the RTI Act requires public bodies to publish “details of direct services provided or being provided to the public”. Section 3.2 of the ICOM Procedures requires public bodies to disclose all forms the public needs to submit in order to receive such services.

Fully Compliant	Partially Compliant	Non-Compliant
Anti-Corruption Commission Attorney General's Office Civil Court Civil Service Commission Criminal Court Elections Commission Family Court High Court Human Rights Commission Judicial Service Commission Juvenile Court Ministry of Defence and National Security Ministry of Economic Development Ministry of Education Ministry of Environment and Energy Ministry of Finance and Treasury Ministry of Fisheries and Agriculture Ministry of Foreign Affairs Ministry of Gender and Family Ministry of Health Ministry of Home Affairs	Auditor General's Office	

Fully Compliant	Partially Compliant	Non-Compliant
Ministry of Housing and Infrastructure Ministry of Islamic Affairs Ministry of Tourism Ministry of Youth and Sports Parliament President’s Office Prosecutor General’s Office Supreme Court		

The websites of all 30 public bodies were checked to see if they have published a list of services that they offer and the forms the public needs to fill in order to receive the services. Most public bodies scored well in this area as most forms are available on their respective websites.

In the forms section under downloads, the website of the Auditor General’s Office provides job application forms and relevant application forms for certified auditors. However, while a page for asset declaration forms exists, no information has been provided.

The screenshot shows the Auditor General's Office website. At the top, there is a navigation menu with links: Home, About, Our Work, Reports, Certified Auditors, Declaration of Assets, Media, Downloads, and Contact. The main content area is titled 'ASSET DECLARATION FORMS'. Below the title, there is a search bar and a dropdown menu showing '15 records'. A message states 'No data available in table'. To the right, there are three checked checkboxes: 'Job Application Form', 'Applications - Certified Auditors', and 'Asset Declaration Forms'. The footer contains contact information for the Auditor General's Office, quick links to various sections, a list of recent pages, and a newsletter subscription form with social media icons for Facebook and Twitter.

Screenshot taken from Auditor General’s Office website.

f) Budget: Is information about the projected budget, actual income and expenditure published?

Section 37(j) of the RTI Act requires public bodies to publish the budget allocated to them, including the particulars of all plans, proposed expenditures and details of disbursements made. In addition, Section 3.8 of the ICOM Procedures requires public bodies to publish, as a minimum requirement, their annual and monthly budget reports.

Fully Compliant	Partially Compliant	Non-Compliant
	Anti-Corruption Commission Attorney General's Office Civil Service Commission Human Rights Commission Ministry of Environment and Energy	Auditor General's Office Civil Court Criminal Court Elections Commission Family Court High Court Judicial Service Commission Juvenile Court Ministry of Defence and National Security Ministry of Economic Development Ministry of Education Ministry of Finance and Treasury Ministry of Fisheries and Agriculture Ministry of Foreign Affairs Ministry of Gender and Family Ministry of Health Ministry of Home Affairs Ministry of Housing and Infrastructure

Fully Compliant	Partially Compliant	Non-Compliant
		Ministry of Islamic Affairs Ministry of Tourism Ministry of Youth and Sports Parliament President’s Office Prosecutor General’s Office Supreme Court

Most of the public bodies assessed do not publish information about their projected budget, and actual income and expenditure. In fact, no public body has published the budget allocated to them as indicated in Section 37(j) of the RTI Act.

Only 5 public bodies have published the previous year’s budget in their annual reports. Anti-Corruption Commission has published monthly budget and expenses up to the month of June 2017.²⁹



Screenshot taken from Anti-Corruption Commission website.

²⁹ <https://acc.gov.mv/details/8652>

g) Public Procurement and Contracts: Is detailed information on public procurement process, criteria, outcome of tenders, copies of contracts, and reports on completion of contracts published?

Section 37(h) of the RTI Act requires public bodies to publish “details of decisions taken that would affect the public”. Section 3.6 of the ICOM Procedures provides additional guidance to this requirement stating that this should include, as a minimum standard, information on the outcome of public tenders.

Fully Compliant	Partially Compliant	Non-Compliant
	Ministry of Islamic Affairs	Anti-Corruption Commission Attorney General's Office Auditor General's Office Civil Court Civil Service Commission Criminal Court Elections Commission Family Court High Court Human Rights Commission Judicial Service Commission Juvenile Court Ministry of Defence and National Security Ministry of Economic Development Ministry of Education Ministry of Environment and Energy Ministry of Finance and Treasury Ministry of Fisheries and Agriculture Ministry of Foreign Affairs

Fully Compliant	Partially Compliant	Non-Compliant
		Ministry of Gender and Family Ministry of Health Ministry of Home Affairs Ministry of Housing and Infrastructure Ministry of Tourism Ministry of Youth and Sports Parliament President's Office Prosecutor General's Office Supreme Court

In order for the general public to trace where public money goes and how it is used, it is essential for public bodies to disclose detailed information on the public procurement process, criteria, outcome of tenders, copies of contracts, and reports on completion of contracts. However, none of the public bodies assessed have disclosed this information. In fact, this is the weakest area assessed.

Ministry of Islamic Affairs has published the 'Hajj Proposal Evaluation Committee Report 2016', which provides details of the applications, evaluation criteria, and the outcome of the evaluations for entities applying to send pilgrims for Hajj.³⁰

³⁰ <http://islamicaffairs.gov.mv/wp-content/uploads/2016/12/hajj-proposal-evaluation-comittee-report-2016.pdf>

h) Participation: Is information about the mechanisms and procedures for lodging complaints, and details of complaints lodged published?

Section 37(c) of the RTI Act requires public bodies to publish “details of the mechanism of lodging a complaint” at a public body in connection to a matter undertaken by that public body, and “details of the number of complaints received thus far”. In addition, section 37(i) of the Act also required public bodies to publish information on “the manner in which suggestions and criticisms on decision-making can be exercised by the public” in relation to the policies of those functions carried out by public bodies.

Fully Compliant	Partially Compliant	Non-Compliant
	Ministry of Defence and National Security Ministry of Environment and Energy Ministry of Gender and Family Ministry of Housing and Infrastructure	Anti-Corruption Commission Attorney General’s Office Auditor General’s Office Civil Court Civil Service Commission Criminal Court Elections Commission Family Court High Court Human Rights Commission Judicial Service Commission Juvenile Court Ministry of Economic Development Ministry of Education Ministry of Finance and Treasury Ministry of Fisheries and Agriculture Ministry of Foreign Affairs Ministry of Health Ministry of Home Affairs

Fully Compliant	Partially Compliant	Non-Compliant
		<p>Ministry of Islamic Affairs</p> <p>Ministry of Tourism</p> <p>Ministry of Youth and Sports</p> <p>Parliament</p> <p>President’s Office</p> <p>Prosecutor General’s Office</p> <p>Supreme Court</p>

None of the assessed public bodies have fully complied with this provision. Most of the constitutional bodies do have procedures and forms to lodge complaints about third parties on their respective websites. However, they do not provide any mechanism to lodge complaints about matters undertaken by the public body itself.

Ministry of Housing and Infrastructure has a form available for public to lodge complaints and also provides a mobile number to contact to lodge complaints,³¹ but does not provide details of complaints received. Ministry of Environment and Energy provides complaint mechanisms for different projects undertaken by the Ministry, but has no general complaints procedure for the work of the whole Ministry itself. Ministry of Gender and Family has a procedure to lodge complaints regarding “administrative and other issues”.³² Ministry of Defence and National Security also has a form for public to lodge complaints.³³

³¹ <http://www.housing.gov.mv/v1/download/714>
³² <http://mlg.gov.mv/di/contact/>
³³ <http://www.defence.gov.mv/file.php?fileId=105>

i) Obtaining Information: Is information about the Information Officer published?

Section 36(a) of the RTI Act requires that every public body designate an Information Officer and disclose the name, designation and contact details of the Information Officer.

Fully Compliant	Partially Compliant	Non-Compliant
Anti-Corruption Commission Attorney General's Office Elections Commission Ministry of Defence and National Security Ministry of Education Ministry of Tourism Prosecutor General's Office		Auditor General's Office Civil Aviation Authority Civil Court Criminal Court Family Court High Court Human Rights Commission Family Court High Court Human Rights Commission Judicial Service Commission Juvenile Court Ministry of Economic Development Ministry of Environment and Energy Ministry of Finance and Treasury Ministry of Fisheries and Agriculture Ministry of Foreign Affairs Ministry of Gender and Family

Fully Compliant	Partially Compliant	Non-Compliant
		Ministry of Health Ministry of Home Affairs Ministry of Housing and Infrastructure Ministry of Islamic Affairs Ministry of Youth and Sports Parliament Human Rights Commission Supreme Court

Less than a third of the public bodies assessed have the names and contact details of their respective Information Officer(s) published on their websites. Even a smaller number of public bodies have publicly disclosed the details of their Review Committee, and a majority of public bodies do not have an application form to obtain information published on their website.

j) Remuneration: Are the individual remuneration and benefits received by all the employees of the public body published?

Section 37(k) of the RTI Act states that the individual remuneration and benefits received by all the employees of public bodies have to be published at least annually.

Fully Compliant	Partially Compliant	Non-Compliant
Attorney General's Office		Anti-Corruption Commission Auditor General's Office Civil Court Criminal Court Elections Commission High Court Family Court Human Rights Commission Family Court High Court Human Rights Commission Judicial Service Commission Juvenile Court Ministry of Defence and National Security Ministry of Economic Development Ministry of Education Ministry of Environment and Energy Ministry of Finance and Treasury Ministry of Fisheries and Agriculture

Fully Compliant	Partially Compliant	Non-Compliant
		Ministry of Foreign Affairs Ministry of Gender and Family Ministry of Health Ministry of Home Affairs Ministry of Housing and Infrastructure Ministry of Islamic Affairs Ministry of Tourism Ministry of Youth and Sports Parliament President's Office Prosecutor General's Office Supreme Court

Attorney General's Office is the only public body that has complied with this provision.³⁴ The Attorney General's Office provides a very comprehensive breakdown of the salary and other allowances received by its employees and the Attorney General.

³⁴ <http://agoffice.gov.mv/v4/wp-content/uploads/2016/12/Link7-EmployeeSalaryDetails1.pdf>

5. Conclusion

The findings of the assessment show that there is a fairly low level of compliance on the proactive disclosure requirements of the RTI Act.

While some public bodies have at some point disclosed information required in the Act, some of these information have not been updated. Some public bodies have published annual reports, strategic plans and budgets that have been out of date for a while.

There is a general trend for public bodies to publish comprehensive details in some areas whilst completely ignoring others. For instance, whilst 84 per cent published details of functions, responsibilities and structure, only 28 per cent have published their strategies, plans and policies.

No public body has fully complied with the requirements to publish the budget (including the particulars of all plans, proposed expenditures and details of disbursements), and details on the public procurement process, outcomes of tenders, copies of contracts, and reports of completion of contracts. Only one public body (Attorney General's Office) has published the individual remuneration and benefits received by its employees.

Another area of particular concern is that only 31 per cent of public bodies have published the name, designation and contact details of their Information Officers.

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