

Functions of the Information Commission

- (1)** The Information Commission shall have a primary responsibility to receive and decide on complaints.
- (2)** The Information Commission shall, in addition to its complaints function, conduct the following activities:
 - (a) Set rules and minimum standards regarding the manner in which public bodies are required to manage their records, in accordance with section 4 of this Act;
 - (b) Designate further categories of information which may be subject to proactive disclosure, in accordance with sub-section (l) of section 5 of this Act;
 - (c) Adopt a schedule of the fees that public bodies may charge for providing information to requesters, in accordance with sub-section (2) of section 13 of this Act;
 - (d) Approve or reject extensions to the maximum period that information may be kept confidential, in accordance with clause (f) of section 14 of this Act;
 - (e) Compile a user-friendly handbook, in Urdu and English, describing in easily comprehensible form the rights established by, and how to make a request for information under, this Act;
 - (f) Refer to the appropriate authorities cases which reasonably disclose evidence of criminal offences under this Act;
 - (g) Compile a comprehensive annual report both describing its own activities, including an overview of its audited accounts, and providing an overview of the activities undertaken by all public bodies to implement this Act, taking into account the information provided by individual public bodies pursuant to sub-section (2) of section 5 of this Act; and
 - (h) Have an accredited accountant conduct an audit of its accounts on an annual basis, and provide a copy of its audited accounts to the Provincial Assembly and the Department of Finance.
- (3)** The Information Commission shall have the power to:
 - (a) Monitor and report on the compliance by public bodies with their obligations under this Act;
 - (b) Make recommendations to Government for reform both of a general nature and in relation to specific public bodies;
 - (c) Make formal comments on any legislative or other legal proposals which affect the right to information;
 - (d) Co-operate with or undertake training activities for public officials on the right to information and the effective implementation of this Act; and
 - (e) Publicize the requirements of this Act and the rights of individuals under it.
- (4)¹** While deciding a complaint, the Information Commission shall consist of at least two members or one member and the Chief Information Commissioner and decision of the Commission shall not be invalid on the grounds of existence of any vacancy.

¹ A new sub-section (4) of section 25 has been added vide Khyber Pakhtunkhwa Act No. XXIV of 2015