

Draft

LAW OF THE KYRGYZ REPUBLIC

On access to information held by state bodies and local self-government bodies of the Kyrgyz Republic

CHAPTER I. GENERAL PROVISIONS

Article 1. Purposes of the Law

The purposes of this Law are providing the realization and defense the right of access to information held by state bodies and local self-government bodies, and achieving the maximum informational openness, publicity and transparency in an activity of state bodies and local self-government bodies.

Article 2. Purview of this Law

1. This Law shall regulate relations related with access of individuals and legal entities to information held by state bodies and local self-government bodies.
2. In accordance with provisions of this Law all state bodies and local self-government bodies obligated to provision with information.

State bodies are (*recognize*) organizations, established on permanent (*continuing*) basis in accordance with Constitution of the Kyrgyz Republic, constitutional and other laws, decrees of the President of the Kyrgyz Republic, authorized to realize the functions of legislative, executive or judicial powers, as well as to take the decisions obligatory for execution and provide their realization, financing from state budget, and also any territorial subdivision or structural unit realizing the functions or part of functions of the central state body.

Local self-government bodies are (*recognize*) representative, executive-administrative and other bodies, forming by population itself for solving issues of local meaning, and also any territorial subdivision or structural unit realizing the functions and part of the functions of local self-government body.

By terms “state body” and “local self-government body” comprehends also any institution, including its territorial subdivision or structural unit, financing fully or partly from republican or local budget and realizes functions not related with realization of state power or functions of self-government, including institutions of health, education, informational, statistics, advisory, on credit issues.

3. Force (*purview*) of this Law shall not apply:
 - to relations, arising on citizens’ addressing with suggestions, complaints and petitions to the state bodies and local self-governments;
 - to relations, related with access of state bodies or local self-government bodies to information held by other state bodies or local self-government bodies;

to relations, related with provision with information, to which access is restricted in accordance legislation of the Kyrgyz Republic.

Article 3. Guarantees and principles of access to information

Everyone has a guarantee of the right to access to information held by state bodies and local self-government bodies.

The main principles of freedom of access to information are accessibility, objectivity, timeliness, openness and truthfulness of information.

State shall defend the right of each person to seek, receive, research, produce, impart and disseminate information.

Restrictions of access and dissemination information shall be established only by law.

Article 4. Openness, publicity and transparency in an activity of state bodies and local self-government bodies.

1. Activities of state bodies and local self-government bodies are open, transparent and public.
2. Information about activity of state bodies and local self-government bodies are available to all. Any restriction of access to information held by state bodies and local self-government bodies is prohibited, except cases specified by article 5 of this Law.
3. Decision on refusal the access to information should be motivated and founded, only through the basis, provided by article 15 of this Law.
4. It may not be restricted the familiarization with the decision, on the basis of what access to information is restricted. Documents and materials which contain information, to which the access to information should be restricted in accordance with legislation of Kyrgyz Republic, shall be provided with that part which don't include such as information.

Article 5. Restrictions of access to information.

1. Information with restricted access is (*recognizes*) the information attributed to the state secrets as well as confidential information.

Attribution of information to the state secrets shall realize in accordance with legislation of the Kyrgyz Republic on state secrets.

Confidential information is information containing official secret of state bodies and local self-government, as well as held by state bodies and local self-government bodies containing secrets of other people protected by law.

2. Confidential information containing official secret of state bodies and local self-government with purpose of this Law is (*recognizes*) the information:
 - 1) concerned only technical-organizational rules of protection the work of state bodies and local self-government bodies;
 - 2) describing the concrete content of closed hearings and sessions, as well as personnel position of official during closed session or voting.

3. Confidential information containing secret of other people protected by law is (*recognize*) information attributed in accordance with legislation of the Kyrgyz Republic to the secrets of private life, commercial, professional or other kinds of secrets. Officials of state bodies and local self-government bodies have responsibilities established by legislation of the Kyrgyz Republic for disclosure of confidential information, containing protected by law secrets of other people, if they have become familiar with them because of realization the powers established by law.

Article 6. Means of providing with information.

1. The main means of providing with information by state bodies and local self-government bodies are:
 - a) publication and dissemination of appropriate materials;
 - b) providing individuals and legal entities with information on the basis of their request;
 - c) promulgation of information about activity of state bodies and local self-government bodies;
 - d) providing the direct access to the documents and materials of state bodies and local self-government bodies;
 - e) providing of direct access to open sessions of state bodies and local self-government bodies.
2. State bodies and local self-government bodies have a right to use any other means, not prohibited by legislation of Kyrgyz Republic, for informing population about own activities.
3. Providing by state bodies and local self-government bodies with one of means of access to information about own activity may not be the basis for rejection in provisioning with information by any other legal mean.

CHAPTER II. PROVISION WITH INFORMATION ON THE BASIS OF ORAL OR WRITTEN REQUEST

Article 7. Forms of making requests for information

1. Requests for information to state bodies and local self-government bodies may be sent in a form of:
 - oral direct addressing or by telephone;
 - written request, delivering by personal handing over, by post, by courier or by delivering on electronic communication channels.
2. Reply to a request shall satisfy in that form, which was delivered a request.
3. In case when the document held by state bodies or local self-government bodies exists in more than one language, the document must be provided in that language which was preferred by person concerned.

Article 8. Oral addressing for providing with information

1. In case of orally addressing for receiving information or addressing by telephone, the appropriate information shall be provided in oral form.
2. In oral form shall be provisioned the short information obviating (*eliminating*) the necessity of making the written requests to provision with information. Responsibility persons for provision with information not obligated to consult requesting citizens on components of the request subject.
3. If oral reply to a request is not irrefragable answer for citizen, he/she shall be explained about order of making requests, as well as other means of receiving information in accordance with the provisions of this Law.
4. Every oral addressing should be fixed (registered) in a journal, in which shall be indicated author of addressing, its telephone number, home address, date and time of addressing, subject or question of addressing, as well as information about state or municipal employee, who has replied on the addressing.

Journal form and order of its journaling shall be established by Government of the Kyrgyz Republic.

Article 9. Form and content of a written request

In a written request without fail must be indicated:

- a) name of the state body and (or) surname of official of state body and local self-government body, who is recipient of a request;
- b) for citizens - surname, name, patronymic, date of birth, place of residence; for legal entities (their branches and representative offices) - full name of a legal entity (branch, representatives office), location of management body (postal address), information about registration as a legal entity, surname and position of person who signed a request;
- c) subject of a request, which allow to judge unambiguously which kind of information, should be provided.

Person making a request not obligated to motivate the reason of his/her request. Person, asking information has a right to include to the request number of contact telephone, and other information which on his/her opinion could assist for executing of a request.

State body and local self-government shall elaborate the example forms of the requests for provision with information and provide access to such as forms in places of location of the state bodies, local self-government bodies and in post offices. On the underside of a request form for provision with information may be included the explanation of the order of filling out, terms, order of receiving and payment for provision with information.

It is not required precise indicating of all properties of necessary documents or materials in formulating the subject of a request. If it is necessary to make more accurate the subject of a request, person responsibility for preparation the reply has a right to make more accurate the subject of a request by contact telephone on personal initiative. In a case of absence of a contact telephone, person responsibility for preparation a reply indecently shall make more accurate the subject of a request.

The request for provision with information may be sent by citizen via post, courier, on electronic communication channels or personally delivered to appropriate state body and local self-government body.

Article 10. Terms of provision with replies to the written requests

Preparation of a reply to the written requests shall be executed within two weeks term.

The calculation of a term for replying to a request starts from the day of receiving a request by state body and local self-government body and ends in day when a reply to a request shall be transferred by it to the department of mail service, personally to author, or to his/her courier or representative or day of fixing the sending on electronic communication channel.

If a request in accordance with requirements of this Law needs in forwarding to another state body and local self-government body, the calculation of the term for the reply to the request starts from the day of receiving the request by other state body or local self-government body, which obligated to provision with information in accordance with this Law.

If within two weeks term a reply to a request may not be prepared, person who sent a request shall be informed about it with the reason of prolongation. Period of prolongation may not exceed two weeks term.

Not providing with reply to a request within term, established by this article or absence of confirmation about prolongation of the term for reply shall consider as a refusal in provision with reply to a request.

Article 11. Order of consideration and satisfaction the written request

1. Every request for provision with information shall be registered state body and local self-government or private organization with specifying:
 - date of receipt a request;
 - information about sender of request;
 - short statement of the request subject;
 - surname and position of the responsible person for preparation of the reply;
 - motivation of refusing in provision with information (in the presence of information);
 - size of payment for preparation the reply to the request (in the necessity of paying);
 - information about forwarding of the request to other state body and local self-government body;
 - date of sending the reply to the person enquiring;
 - other information, describing the main stages of preparation the reply to the request.
2. Request for receiving information after registration shall be sent to person responsible for preparation the reply. Responsible person shall retrieval the necessary documents and materials, copy and form the set of documents for the reply.
3. Answer to the written request about provision with information shall be irrefragable, cutting out the necessity of repeated addressing by the person concerned on the same subject of request. Executor of the request not obligated to consult person interested in provision with information about order of using the required documents and materials.
4. Reply to the request must contains:

- 1) indication of responsibility person about performance the request including the short formulation the request subject, list of giving documents, surname and position of the request executor, date of signature the answer;
- 2) texts of provisioning documents, or information about them or part of the documents, if such as information or part of them contain exhaustive information for satisfaction of the request and their provision instead of the documents, unambiguously available in accordance with character of the request;
- 3) price list of consumables costs and information services, as well as list of names and contact information of the main state bodies and organizations located in a district of inhabited locality, where live person addressed the request, and realizing the human rights protection, their I&R and library service and provision with information on the basis of this Law.

Article 12. Additional guarantees of receiving information

1. If the state body or local self-government does not hold and not obligated to hold in accordance with this Law the requesting documents and materials, then person concerned shall be informed about it.
2. When another state body or local self-government body obligated to hold the requiring documents, then a request shall forward to the appropriate body which shall obligated to reply to this request. If in a request indicated the number of the contact telephone or information about other vehicle of communication, the request executor shall inform the person enquiring about forwarding the request and makes note about it in a written request.
3. If the required documents were promulgated, the executor of a request has a right to give a reference in a reply to the appropriate source of information's promulgation.

Article 13. Expenses related with provision with information

1. Preparation the replies to the requests of citizens and organizations shall be realized by state bodies and local self-government bodies free of charge, with the exception of cases established by point 3 of this article.
2. Person enquiring the written request for information shall pay by payment forward the postal services on delivering the reply to the request.
3. For the requests for information which need copying the documents or their parts in a volume exceeding 5 pages, there shall admit the payment for providing the appropriate copying services, not exceeding their cost price. Unified price lists for the copying services and repayment terms shall be approved by Government of the Kyrgyz Republic.

State bodies and local self-government bodies have a right to dispense from payment for provision with information persons relevant to social unprotected category of the population.

Article 13. Requests on provision with information in a form of text communication, transmitting on communication channels

1. The requests received in a text form, transferring on communication channels shall satisfy by sending in an appropriate form the documents, if the technical opportunities of the state body or local self-government body allow it.
2. If the request received via e-mail, reply to the request shall send to the return e-mail address of person enquiring. If there is not the electronic version of the requesting documents, then information shall be provided in another forms and means of receiving the information in accordance with provisions of this Law. To the reply may be attached the files with requesting documents, or may be indicated the concrete links to the electronic versions of the accessible documents and materials in the global network.
3. If the request to provision with information received by fax, the reply to it may be send also by fax, if the volume of the required documents for satisfaction the request shall not prevent to it. In another case in the answer shall be indicated the order of receiving the information on the request by another ways and means of receiving information in accordance with provisions of this Law.
4. Registration and preparation of the reply to the request receiving on e-mail or on fax, shall realize in order provided for the written requests.

Article 15. Basis for rejection in provision with information on a request

1. It may be rejected in provision with information on the request in the presence of the following basis:
 - 1) the requesting information contains in parts of the documents which on the basis of the appropriate laws of the Kyrgyz Republic and provisions of this Law putted to the category of information with restricted access;
 - 2) the request developed with infringement the requirements provided by article 8 of this Law;
 - 3) the request of this person on the same subject is on the considering of the headquarter of the body and its department, as well as in cases when state body and local self-government body does not hold and not obligated to hold appropriate documents in accordance with requirements of this Law.
2. State body and local self-government body have a right to refuse in provision with information to the request, which is the essentially coincide with information given out on a request to that person in a period equal 3 months before receipt the repeated request.
3. Rejection in provision with information must include the following information:
 - 1) motivation with indication the concrete links to the norms of legislation of Kyrgyz Republic, on which basis there was rejected the provision with information;
 - 2) means (ways) and order of appealing the rejection in provision with information.

CHAPTER III. PROMULGATION OF INFORMATION ABOUT ACTIVITY OF STATE BODIES AND LOCAL SELF-GOVERNMENT BODIES

Article 16. Provision with official information

1. The official information shall be provisioned by its promulgation. Additionally there may be provided the other means of access to official information.
2. Provision with official information shall realize by means of promulgation:
 - 1) laws (statutory acts) in compliance with order and terms of publication, established for that;
 - 2) information about current decisions and official events of state bodies and local self-government bodies;
 - 3) annual reports of state bodies and local self-government bodies about results of work;
 - 4) other informational materials.

Article 17. Promulgation of information about current decisions and official events

1. State bodies and local self-government bodies shall promulgate official information regarding:
 - 1) assumption of an office or resignation of the heads of the state bodies and local self-government bodies;
 - 2) adoption of the republican and local budgets of the Kyrgyz Republic, as well as budgets of state bodies and local self-government bodies, change rates and order of discharge of republican and local taxes and tallages, including municipal and other payments;
 - 3) adoption of legal acts on management the material (property) objects, which are on the state or municipal properties balance;
 - 4) adoption of legal acts related with allocation of land resources;
 - 5) adoption of legal acts related with building which are fully or partly in the property of foreign persons (legal entities);
 - 6) signing and course of implementation of the international treaties;
 - 7) measures, undertaking for liquidation of the extreme events (incidents) menacing to the life and health of the people.
2. State bodies and local self-government bodies have a right to bring to publicity's attention other information about current decisions and official events with using the resources of printing, audio-visual mass media and other means of information the population.

Article 18. Annual reports of state bodies on work results

1. By Government of the Kyrgyz Republic shall be provided promulgation the annual messages of President of the Kyrgyz Republic to the people of the Kyrgyz Republic on state of affairs in a country, reports of the Constitutional court of the Kyrgyz Republic on the status of the constitutional legality and Ombudsman (Akyikatchy) of the Kyrgyz Republic on the state of affairs in the country in the field of human and citizens rights and freedoms.
2. State bodies and local self-government bodies shall promulgate reports on own activity for reporting period, describing reflecting the happened during reporting period dynamics of changes in a social-political, economic and cultural spheres, namely: the main statistic indicators on such as directions as spending the budgetary funds, sources and volume of the tax proceeds in the republican budget and local budgets, production volume and consumption on separate sectors of the market, volume of the internal and external investments, combating with criminality, health protection, migration of the population, ecology, as well as other important directions of the activity.

Article 19. Publication of informational materials

1. The Government of the Kyrgyz Republic shall promulgate the summary information materials in about structure of the executive powers bodies and order of their work the mass media. The summary information materials shall include description of the structure of public authorities, including their main powers and object of the jurisdiction, also surnames of the employees, deputizing the executive positions, their work telephones, work addresses, routine of work with population.
2. By Government of the Kyrgyz Republic or on its behalf by other bodies of the executive power shall be financed the promulgation of the official information materials in a form of manuals (collections). The official editions, apart from the mentioned in the point 1 of this article, shall contain the information in the sphere of activity, names and addresses of other state bodies, as well as public unions, mass media, legal consultations, notaries, libraries, educational institutions, communal services and other organizations which purpose of activity is protection of rights and legitimate interests, service of citizens. The term, after which expires the official reference media shall republish, shall be estimated reasoning from supporting the urgency the contained in it information. Edition of the manuals shall be defined on the basis of amount of distributed copies during previous period.

The manuals must be accessible for acquisition at the points of retail sale of the mass media.

Article 20. Duties of state bodies and local self-government bodies on providing the dissemination information

1. State body and local self-government body obligated annually and in available form to promulgate information, which includes:
 - 1) its functions and tasks, powers, duties and annual budget;

- 2) list and description of services rendering by state body and local self-government body;
- 3) order of consideration and satisfaction of requests or complaints, which can use citizens and organization concerning activity of state body and local self-government body, and example of preparation of request, complaint and other actions of turned persons;
- 4) information about system of documentation of the materials, types and forms of information which is at the disposal of organization, categories of information and description of procedure of preparation of request on information;
- 5) description of authorities and duties of the heads and procedures of decision making by them;
- 6) manual, rules and collections containing information about performing by own duties state body or local self-government body;
- 7) any mechanisms and procedures which allow citizens and organizations to present own judgment (*opinion*) or influence to forming of politics or fulfilling the powers of this state body and local self-government body;
- 8) generalized information about addressing of citizens and organizations received by state body and local self-government body, about results of consideration and taken measures;
- 9) lists of information systems for general use, data bank, rolls, registers which are under competence of state body and local self-government body, and rolls (*lists*) of rendering for citizens and organizations information resources and services;
- 10) information about official visits and business trips of the heads and official delegations of state body and local self-government body;
- 11) information about official activities, organizing by state body and local self-government body, including sessions, meetings, briefing, collegiums;
- 12) information about decisions adopted during official activities, organizing by state body and local self-government body;
- 13) information about policy plans of state body and local self-government body;
- 14) texts of official statements and formal addresses of heads and representatives of state body and local self-government body;
- 15) information about projects (*drafts*) of special and other programs elaborating by state body and local self-government body;
- 16) information about special and other programs which customer or executor is state body or local self-government body, goals and main tasks, customers and main executors of programs, terms and expected results of realization, amount of financing, stage of their realization;
- 17) information about execution of budget by state body and local self-government body;
- 18) information about spending the funds of foreign technical assistance on projects and activities realizing with participation of state body and local self-government body;
- 19) analytical papers, work reports, informational reviews about activities of state body and local self-government body;

- 20) information about main indexes showing the situation and epigenetics of spheres which are in competence of state body and local self-government body;
- 21) forecasts prepared by state body and local self-government body;
- 22) official statistical information collected and processed by state body and local self-government body;
- 23) information about open competitions, auctions, tenders, expertise and other activities conducting by state body and local self-government body, including:
 - rules of their conducting;
 - order of participation of individuals and legal entities;
 - staff of competitive commissions for conducting the competitions to delivery the goods (execution of works, rendering of services) for state or municipal needs;
 - journals of competitive commission's sessions;
 - order of appealing the decisions adopted by state body and local self-government body;
- 24) forms of complaints, established by legislation of the Kyrgyz Republic and entertaining to consideration state body and local self-government body;
- 25) information about checks conducted by state body and local self-government body within their competence, and checks conducted in state body and local self-government body;
- 26) information about conditions of defense of population and its territory from emergency situations and assumed measures on protection, about forecast emergency situations, methods and ways of protection of population from them, as well as other information liable in accordance with laws to bring to citizens and organization in accordance with laws;
- 27) list of civil agreements concluded by state body and local self-government body with individuals and legal entities;
- 28) information about entrance of citizens to state and municipal service in this state body and local self-government body:
 - order of entrance of citizens to state and municipal service;
 - list of existing vacant public positions of public service, municipal positions of municipal service;
 - qualification requirements to candidates for vacant positions in public service, municipal positions of municipal service;
 - conditions and results of competitions for filling of vacant position of public service, municipal positions of municipal service.
- 29) information about interaction of state body and local self-government bodies with other state bodies and local self-government bodies, public unions, political parties, trade unions and other organizations, including international organizations;
- 30) information about heads of state body, its organization departments, foreign branch offices, territorial departments, lower organizations (surnames, names and patronymics, biographical information – by the approval with mentioned persons);

31) structure of state body and local self-government body, information about tasks and functions of their organization departments, postal addresses, telephones of referrals services and address properties, including postal address, e-mail address, number of their employees and size of salary fund;

32) information about organizations which under jurisdiction of state body and local self-government body: list of organizations, their postal and legal addresses, telephone; description of fulfilling by them tasks and functions, information about their establishment, reorganization and liquidation, number of their employees, main indicators of activities, size of salary fund;

33) telephone numbers and address data, including postal address, e-mail address, subdivisions of state body and local self-government body on working with requests of citizens and organization, information about order of these subdivisions' work.

34) list of foreign representative offices of state body and local self-government body, telephones and address details, e-mail address;

35) list of international organizations in which activity takes participation state body and local self-government body;

36) information about participation of state body and local self-government body in realization of international treaties of Kyrgyz Republic and programs of international cooperation

Article 21. Dissemination of official information in mass media

1. Press-cutting service of the state bodies and local self-government bodies, as well as employees responsible for informational work with population obligated to supply the editorial staff of the mass media with information and materials on activity and decisions of the state bodies and local self-government bodies.
2. State bodies and local self-government bodies obligated to encourage employees who actively addressing (*appearing*) in mass media with addresses, statements, official explanation the position of state bodies and local self-government bodies on actual issues of their activity.

CHAPTER IV. PROVIDING THE DIRECT ACCESS TO DOCUMENTS AND MATERIALS OF STATE BODIES AND LOCAL SELF-GOVERNMENT BODIES

Article 22. Forms of providing the direct access

Direct access to the documents and materials of state bodies and local self-government bodies of shall be provided by:

- 1) foundations of the official information of state bodies and local self-government bodies;
- 2) library foundations of the official information;
- 3) databases.

Article 23. Providing access of publicity to state foundations of official information of state bodies and local self-government bodies

1. State bodies and local self-government bodies shall form available to all foundations of the official information.
2. Access to the foundations of the official information of state bodies and local self-government bodies must be provided by means of direct familiarization of citizens with them in a location of the appropriate body.
3. Legal acts, other documents and materials shall be included to the foundation of the official information and become available for familiarization not later then after week from the date of their signing, or singing the acts because of what has been considering the appropriate documents and materials.
4. For providing the safety of the confidential information shall make an examination determining the part of the documents and materials to which the access should be restricted. The parts of the documents and materials which don't include the confidential information must be prepared for familiarization and accessible no later than after week from the day of signing the appropriate document. Surname and position of the expert shall be indicated in the document or material prepared for familiarization of society.
5. For providing the access to the documents and materials in the appropriate state body and local self-government body shall be formed the filing for familiarization and the filings with control check copies of the documents and materials. Documents and materials in the filing shall be putted in a chronological order. No seldom than one time in a month there shall execute the inventory of the documents and materials composing the filing for familiarization. For accommodation to search the necessary documents, the inventory shall be putted into the filings. Data (*information*) of the inventories of the document filings and materials may be unit to the catalogues.
6. State bodies and local self-government bodies obligated to take measures on providing the safety of the documents and materials, composing the filings and establish appropriate requirements for access to them.
7. For working with the filings there shall be supplied the special places with conditions allowing to do abstract (*abbreviate*) from the documents and materials, and make copies from them. The conditions and order of provision documents and materials for copying shall be established by appropriate state bodies and local self-government bodies.

Article 24. Access to library stocks of official information

1. State bodies and local self-government bodies shall send to the libraries the official reports, informational materials, official manual editions and other documents and materials, which are at their disposal.

2. On the basis of receiving documents and materials in the libraries of the Kyrgyz Republic shall form available to all the foundations of the official information.

Article 25. Access to data bases

1. State bodies and local self-government bodies shall realize the activities on developing and support the centralized automatized informational system of the official information uniting the database of the official information of the state bodies and local self-government bodies.
2. System of the official information must include the database with full list and texts of the laws currently in force within territory of the Kyrgyz Republic. State bodies and local self-government bodies shall organize the access to the electronic versions of the documents and materials.
3. System of the official information must be accessible for users of the global digital networks. There shall be provided free of charge familiarization and free of charge electronic copying of the documents and materials containing in the centralized automatized informational system of the official information. State bodies are responsible for the trustworthiness of the electronic version of the document or other official information included to the centralized informational system of the official information.
4. State bodies and local self-government bodies have a right to involve, on the contractual basis, the specialized organizations for execution of the requests on provision with information on the basis of using databases of specialized organizations. The responsible for the accuracy, the irrefragable character of the information providing by specialized organization and execution of other requirements of this Law shall hold the appropriate state body and local self-government body. If specialized organization does not have the required documents and materials which should be provisioned in accordance with this Law, information on the request shall be provided by official of the state body and local self-government body, who responsible for that.

CHAPTER V. PROVIDING ACCESS TO SESSIONS OF STATE BODIES AND LOCAL SELF-GOVERNMENT BODIES

Article 24. Openness of sessions

1. Sessions of state bodies and local self-government bodies are open for publicity, except of closed sessions.
2. Openness of the sessions shall be guaranteed with opportunity of the presence on them the interested citizens by whom were sent applications for participation in the appropriate sessions.
3. Closed sessions of state bodies and local self-government bodies shall be conducted in cases of discussion restricted information, in accordance with article 5 of this Law.

Article 27. Notice of publicity about conducting sessions

1. State bodies and local self-government bodies shall publish monthly in mass media the session plan with indicating the agenda, as well as date, time and place of conducting.
2. State bodies and local self-government bodies obligated shall the informational stand equip on the location, to which no later than one week before the session day shall be putted information on its agenda, time, as well as whether open or close regime of the holding (*conducting*). In case of conducting the session in the close regime on the informational stand shall be putted decision on the basis of what restricts the access of the publicity to the sessions.

Article 28. Organizations of sessions attendance

1. Citizen of the Kyrgyz Republic, representatives of legal entity of the Kyrgyz Republic are entitled to attend on the session of state bodies and local self-government bodies. In an effort to provide attendance of citizens and (or) representatives of legal entities, state bodies and local self-government bodies shall keep record of persons wishing to attend on appropriate session. Information record about visitors and presence of document establishing his/her identity are the basis for access to the session. Record should be include surname, name, patronymic of citizen wishing to attend on the session, and for representative of legal entity - surname, name and patronymic, name of the legal entity, an also work status of representative. It is not obligated to produce other information and documents.
2. In the hall of conducting the session shall equip the places for visitors. The number of the places shall estimate reasoning from number of the registered, but the total number of the places shall not be less than five on the sessions of executive bodies of public authority and local self-government bodies, and less than ten on the session of the Jogorku Kenesh of the Kyrgyz Republic and representative bodies of the local self-government bodies. At depletion of the limit of the visitors and non-appearance of someone the priority of attendance of the sessions shall have, firstly, citizens, which rights and freedoms may directly touch the approving on the session decision, secondly, citizens who have not attended before on the sessions of this body or have not attended more than registered persons, thirdly, registered for attendance on the session earlier than others.
3. State bodies and local self-government bodies have a right to additionally organize the access to sessions by means of direct transmission of signal on the television set, based in other indoors situated in the place of location of the appropriate body.

Article 29. Order of providing the sessions with participation of visitors

1. The maxim of the presents on the session of the visitors shall mention in the regulation of work of the appropriate state body and local self-government bodies. In case of violation of established rules of attendance on session the chairman shall make reprove to the disturber, at the violation the second time shall evict him from the session hall.
2. Visitors attending on session have a right to make minutes, and make photos, audio and video records, if it does not disturb to conduct the session.

CHAPTER VI. ORGANIZATION OF ACCESS TO INFORMATION HELD BY STATE BODIES AND LOCAL SELF-GOVERNMENT BODIES

Article 30. Organizational measures on assistance to access to information

1. For organizing the access to information in structure of state bodies shall be established special services authorizing with appropriate functions and powers in accordance with established procedure, or fulfilling of these functions shall be entrusted to other services and subdivisions, existing in a structure of state body and local self-government body, or to concrete official.
2. The function on providing persons enquiring with information should be stated in the provision (*regulations*) on appropriate state body and local self-government body.
3. The rights, duties, and responsibilities of the special services, subdivisions, and officials fulfilling activity on realization these functions shall establish by provisions on these services and subdivisions and job descriptions which shall be approved in accordance with established procedure.
4. At discretion of state body or local self-government body for realization the functions on providing access to information on contractual stipulation can be involved the organizations fulfilling own activity on the legal ground (*basis*) on provision with information services. Properties of these organizations (name of organization, post address, telephone and fax number, e-mail address, network address, and – properties of organization) should be brought to general notice.
5. The rules on fulfilling of the requests for information shall be established state body and local self-government in accordance with this Law.
6. The rules, indicated in point 5 of this article should contain the name and behavior of appropriate organizations, services, subdivisions or officials which obligated to provide access to information; category of provisioning information, types of services related with its providing (including order of access to the automatized information system), order or payment of these services and other conditions of access.

Article 31. Organization of access to information in automatized informational systems

1. State bodies and local self-government bodies for ensuring the right to access to information from automatized information systems shall:
 - connect mentioned systems to public network and place (*put*) information on the official server (site, portal) of state body and local self-government body for unlimited access of citizens and organization, connected to this network;
 - create user stations, connected to public networks in the places easy available for citizen and organization: in the building state bodies and local self-government bodies, state and municipal libraries, post offices and in other places considered by legislation);
 - provide with e-mail address for receiving requests and sending requested information;

- have a responsibility for content, trustworthiness and fullness of information placing on official server (site, portal).
2. It is obligatory indicating in the documents created with the help of computer and sending on telecommunication channels all properties established for these documents. In a case of providing with information in electronic version its trustworthiness shall confirm by digital electronic signature or other electronic mean in the course of established by legislation.

Article 32. Duties of state bodies and local self-government bodies on providing the access to information

1. State bodies and local self-government bodies obligated to:
 - provide the technical-organizational and other necessary conditions for realization of the right of access to information;
 - custody during set time the official documents comprising the information which liable to provision in accordance with this Law, adopted by them acts, as well as acts of that state bodies and local self-government bodies, which assigns they are;
 - provide the trustworthiness and fullness of providing information, keeping statutory terms and conditions of provisions (providing);
 - keep statute-established order of promulgation of official documents.
2. If provisioned information contains inaccurate or incomplete information, state bodies and local self-government bodies, on reasoned written complaint of person enquiring, obligated to make the provided information more accurate or complete in a possible short term, but not later than seven working days, following the date of receipt.
3. State bodies and local self-government bodies shall hold the roll (*list*) of official documents what about they obligated to notice all. The role (*list*) must include a name, date of adoption, number of each publishing document and information about its promulgation. Bodies holding the role may establish other mandatory requirements to this role.

CHAPTER VII. REALIZATION GUARANTEES OF THIS LAW

Article 33. Organizational guarantees

1. State bodies and local self-government bodies shall:
 - establish in own structure the structural subdivisions and entrust the responsibility persons with obligations on direct (*immediate*) providing the provision with information of population;

- organize the opportunity of citizens receiving by telephone the short free of charge information regarding the order of realization of the provisions of this Law, including regarding specification of the request subject on provision with information, regime of work of the state body and local self-government body officials, order of familiarization with funds of official information.

Article 34. Informing of publicity about realization of this Law

1. State bodies and local self-government bodies shall conduct explanatory work with the help of mass media among population on order of realization guaranteeing by this Law the opportunities of the receiving the information.
2. Prepared by appropriate state bodies and local self-government bodies reports on results of implementing the requirements of this Law shall be published in mass media.

Article 35. Appealing the rejection in provision with information

Refusal of the responsibility person in provision with information, as well as other actions and decisions of responsibility person, violating the requirements of this Law, may be appealed to the superior officer, to the Ombudsman (Akyikatchy) of the Kyrgyz Republic or in the court in according with legislation of the Kyrgyz Republic.

Article 36. Responsibility for violation duties on provision with information

Persons, who are guilty in default or improper execution of responsibilities on provision with information shall bring in accordance with legislation of the Kyrgyz Republic to criminal, administrative, civil, disciplinary or material liability in accordance with legislation of the Kyrgyz Republic.

CHAPTER VII. CONCLUSION PROVISIONS

Article 37. Effectiveness of this Law

1. This Law shall come into the force from the date of its official publication.
2. To Government of the Kyrgyz Republic during three months:
 - to bring to the consideration of the Jogorku Kenesh of the Kyrgyz Republic suggestions on bringing legal acts to conformity with this Law;
 - to bring to the consideration of the President of the Kyrgyz Republic suggestions directed to solve managerial (*organizational*) procedures, following from this Law;
 - to bring own statutory acts to conformity with this Law;
 - to provide bringing to conformity with this Law statutory acts of ministries, state committees and administrative departments and local state administrations.

3. To local self-government bodies to assume the necessary measures, following from this Law, and to bring own statutory acts to conformity with this Law.

**President
of the Kyrgyz Republic**