

FREEDOM OF INFORMATION ACT

SAINT LUCIA

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FREEDOM OF INFORMATION ACT

SAINT LUCIA

No. of 2009

A BILL ENTITLED

AN ACT to promote maximum disclosure of information in the public interest, to guarantee the right of everyone to access to information, to provide for effect mechanisms to secure that right and for related matters:

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same as follows:

PART 1 PRELIMINARY

Short title and commencement

- 1.(1) This Act may be cited as the Freedom of Information Act 2009.
- (2) This Act shall come into force on a day to be fixed by the Minister by Order published in the *Gazette*.

Interpretation

- 2.(1) In this Act-
 - “Commissioner” means the Information Commissioner, appointed pursuant to Part 5;
 - “information officer” means a person designated as an information officer pursuant to section 6 (1);
 - “Minister” means the Minister responsible for the administration of justice;

“official” means any person employed by a public authority, whether permanently or temporarily and whether part-time or full-time;

“person” includes a body corporate or an unincorporated body;

“personal information” means information which relates to an individual who can be identified from that information;

“publish” means make available in a form generally accessible to members of the public authority and includes print, broadcast and electronic forms of dissemination;

“record” has the meaning given to it pursuant to section 15;

“Regulations” means Regulations made pursuant to section 51

- (2) For purposes of this Act, a public authority includes any body –
- (a) established by or under the Constitution;
 - (b) established by Statute;
 - (c) which forms part of any level or branch of Government;
 - (d) owned, controlled or substantially financed by funds provided by Government or the State; or
 - (e) carrying out a statutory or public authority function;

Provided that a body referred to in paragraph (e) is public authority only to the extent of its statutory or public functions

- (3) The Minister may by Order published in the *Gazette* designate as a public authority a body that carries out a public function.

Application

3. This Act binds the Crown.

Non-application

4. (1) This Act shall not apply to –
- (a) a commission of inquiry or the proceedings and findings of a commission of inquiry established pursuant to the commission of inquires Act, Cap 17.04.
 - (b) a court, or the holder of a judicial office or other office pertaining to a court in his or her capacity as the holder of that office; or

(c) a registry or other office of court administration, and the staff of such a registry or other office of court administration in their capacity as members of that staff in relation to those matters which relate to court administration.

(2) Subject to subsection (3), the Minister may by Order published in *Gazette* declare a public authority to be exempt from the provisions of this Act.

(3) An Order under subsection (2) shall be subject to the negative resolution of Parliament.

PART 2 MEASURES TO PROMOTE OPENNESS

Guide to using this Act

5. (1) The Commissioner shall, as soon as practicable, compile in each official language a clear and simple guide containing practical information to facilitate the effective exercise of rights pursuant to this Act, and shall disseminate the guide widely in an accessible form.

(2) The guide in subsection (1) shall be updated on a regular basis, as necessary and in any case at least once every five years.

Information Officer

6 (1) A public authority shall designate one of its officers as an information officer and ensure that members of the public authority have easy access to relevant information concerning the information officer, including his or her name, function and contact details.

(2) The information officer shall, in addition to any obligations specifically provided for in other sections of this Act, have the following responsibilities—

(a) to promote within the public authority the best possible practices in relation to record maintenance, archiving and disposal; and

(b) to serve as a central contact within the public body for receiving requests for information, for assisting persons seeking to obtain information and for receiving complaints regarding the performance of the public authority relating to information disclosure.

Duty to publish

7. A public authority shall, in the public interest, publish and disseminate in an accessible form, at least annually, key information including but not limited to –

- (a) a description of its structure, functions, duties and finances;
- (b) relevant details concerning any services it provides directly to members of the public authority;
- (c) any direct request or complaints mechanisms available to members of the public authority regarding acts or a failure to act by that public authority, along with a summary of any requests, complaints or other direct actions by members of the public authority and that public authority's response;
- (d) a simple guide containing adequate information about its record-keeping systems, the types and forms of information it holds, the categories of information it publishes and the procedure to be followed in making a request for information;
- (e) a description of the powers and duties of its senior officers, and the procedure it follows in making decisions;
- (f) any regulations, policies, rules, guides or manuals regarding the discharge by that public authority of its functions;
- (g) the content of all decisions and policies it has adopted which affect the public authority, along with the reasons for them, any authoritative interpretations of them, and any important background material; and
- (h) any mechanisms or procedures by which members of the public authority may make representations or otherwise influence the formulation of policy or the exercise of powers by that public authority.

Guidance on duty to publish

8. The Commissioner shall–

- (a) publish a guide on minimum standards and best practices regarding the duty of a public authority to publish pursuant to section 7; and
- (b) upon request, provide advice to a public authority regarding the duty to publish.

Maintenance of records

9. (1) A public authority is under an obligation to maintain its records in a manner which facilitates the right to information, as provided for in this Act, and in accordance with the Code of Practice issued pursuant to subsection (3).

(2) A public authority shall ensure that adequate procedures are in place for the correction of personal information.

(3) The Commissioner shall, after appropriate consultation with interested parties, issue and from time to time update a Code of Practice relating to the keeping, management and disposal of records, as well as the transfer of records to the Saint Lucia National Archives.

Training of officials

10. A public authority shall ensure the provision of appropriate training for its officials on the right to information and the effective implementation of this Act.

Reports to Commissioner

11. The information officer of a public authority shall annually submit to the Commissioner a report on the activities of the public authority pursuant to, this Act which shall include information about—

- (a) the number of requests for information received, granted in full or in part, and refused;
- (b) how often and which sections of the Act were relied upon to refuse, in part or in full, requests for information;
- (c) appeals from refusals to communicate information;
- (d) fees charged for requests for information;
- (e) its activities pursuant to section 8, 9 and 10.

PART 3
THE RIGHT TO ACCESS INFORMATION HELD BY PUBLIC AUTHORITY

Freedom of information

12. A person shall have the right to freedom of information, including the right to access information held by a public authority, subject only to the provisions of this Act.

General right of access

13.(1) A person making a request for information to a public authority shall be entitled, subject only to the provisions of this Part and to Part 4–

- (a) to be informed whether or not the public authority holds a record containing that information or from which that information may be derived; and
- (b) if the public authority does hold such a record, to have that information communicated to him or her.

(2) A person making a request for information to a public authority which holds information necessary for the exercise or protection of any right shall, subject only to the relevant provisions of this Part and Part 4, be entitled to have that information communicated to him or her.

Legislation prohibiting or restricting disclosure

14. (1) This Act applies to the exclusion of any provision of other legislation that prohibits or restricts the disclosure of a record by a public authority.

(2) Nothing in this Act limits or otherwise restricts the disclosure of information pursuant to any other legislation, policy or practice.

Records

15.(1) For purposes of this Act, a record includes any recorded information, regardless of its form, source, date of creation, or official status, whether or not it was created by the public authority that holds it and whether or not it is classified.

(2) For purposes of this Act, a public authority holds a record if–

- (a) the public authority holds the record, other than on behalf of another person; or

(b) another person holds the record, on behalf of the public authority.

Request for information

16.(1) For purposes of section 13, a request for information is a request in writing to any official of a public authority that is in sufficient detail to enable an experienced official to identify, with reasonable effort, whether or not the public authority holds a record with that information.

(2) Where a request for information pursuant to section 13(1) does not comply with the provisions of subsection (1), the official who receives the request shall, subject to subsection (4), render such reasonable assistance, free of charge, as may be necessary to enable the request to comply with subsection (1).

(3) A person who is unable, because of illiteracy or disability, to make a written request for information pursuant to section 13(1) may make an oral request, and the official who receives an oral request shall, subject to subsection (4), reduce it to writing, including their name and position within the public authority, and give a copy thereof to the person who made the request.

(4) An official who receives a request for information may transfer that request to the information officer for purposes of complying with subsection (2) or (3).

(5) A public authority may specify a form for requests for information, provided that such forms do not unreasonably delay requests or place an undue burden upon those making requests.

(6) A public authority that receives a request for information shall provide the person making the request with a receipt documenting the request.

Time limits for responding to requests

17.(1) Subject to subsections (2) and (3), a public authority must respond to a request for information pursuant to section 13 as soon as is reasonably possible and in any event within twenty working days of receipt of the request.

(2) Where a request for information relates to information that reasonably appears to be necessary to safeguard the life or liberty of a person, a response must be provided within 48 hours.

(3) A public authority may, by notice in writing within the initial twenty day period, extend the period in subsection (1) to the extent strictly necessary, and in any case to not more than 40 working days, where the request is for a large number of records or requires

a search through a large number of records, and where compliance within twenty working days would unreasonably interfere with the activities of the public authority.

(4) Failure to comply with this section is deemed to be a refusal of the request.

Notice of response

18.(1) The response pursuant to section 17 to a request for information pursuant to section 13(1) must be by notice in writing and state—

- (a) the applicable fee, if any, in relation to any part of the request which is granted, and the form in which the information will be communicated;
- (b) adequate reasons for the refusal in relation to any part of the request which is not granted subject only to Part 4 of this Act;
- (c) in relation to any refusal to indicate whether or not the public authority holds a record containing the relevant information, the fact of such refusal and adequate reasons for it; and
- (d) any right of appeal the person who made the request may have.

Fees

19. (1) The communication of information pursuant to a request made pursuant to section 13 by a public authority may, subject to subsections (2) and (3), be made conditional upon payment by the person making the request of a reasonable fee, which shall not exceed the actual cost of searching for, preparing and communicating the information.

(2) Payment of a fee shall not be required for requests for personal information, and requests in the public interest.

(3) Regulations made pursuant to this section shall, subject to the affirmative resolution of Parliament.

- (a) for the manner in which fees are to be calculated;
- (b) that no fee is to be charged in cases specified in the Regulations; and
- (c) that any fee cannot exceed a certain maximum

(4) A public authority shall not require payment of a fee pursuant to subsection (1) where the cost of collecting that fee would exceed the amount of the fee.

Means of communicating information

20. (1) Where a request indicates a preference as to the form of communication of information contained in subsection (2), a public authority communicating information pursuant to a request for information under section 5 shall, subject to subsection (3), do so in accordance with that preference.

(2) A request may indicate the following preferences as to the form of communication of information—

- (a) a true copy of the record in permanent or other form;
- (b) an opportunity to inspect the record, where necessary using equipment normally available to the public authority;
- (c) an opportunity to copy the record, using his or her own equipment;
- (d) a written transcript of the words contained in a sound or visual form;
- (e) a transcript of the content of a record, in print, sound or visual form, where such transcript is capable of being produced using equipment normally available to the public authority; or
- (f) a transcript of the record from shorthand or other codified form.

(3) A public authority shall not be required to communicate information in the form indicated by the person making the request where to do so would—

- (a) unreasonably interfere with the effective operation of the public authority; or
- (b) be detrimental to the preservation of the record.

(4) Where a record exists in more than one language, communication of the record shall, from among those languages, be given in accordance with the language preference of the person making the request.

If a record is not held

21. (1) Where an official who receives a request pursuant to section 13(1) believes that that request relates to information that is not contained in any record held by the public authority, the official may transfer the request to the information officer for purposes of compliance with this section

(2) Where an information officer receives a request pursuant to subsection (1), he or she shall confirm whether or not the public authority holds a record containing the

information and, if it does not, shall, if he or she knows of another public authority which holds the relevant record, as soon as practicable, either-

- (a) transfer the request to that public authority and inform the person making the request of such transfer; or
- (b) indicate to the person making the request which public authority holds the relevant record;

whichever would be likely to ensure more rapid access to the information.

(3) Where a request is transferred pursuant to subsection (2)(a), the time limit for responding to requests under section 11 shall begin to run from the date of transfer.

(4) A public authority which receives a request pursuant to section (2) relating to information that is not contained in any record held by the public authority shall notify the person making the request that it does not hold the information.

Vexatious, repetitive or unreasonable requests

22. (1) A public authority is not required to comply with a request for information which is vexatious or where it has recently complied with a substantially similar request from the same person.

(2) A public authority is not required to comply with a request for information where to do so would unreasonably divert its resources.

PART 4 EXCEPTIONS TO GENERAL RIGHT OF ACCESS

Public authority interest override

23. Notwithstanding any provision in this Part, a public authority shall not refuse to indicate whether or not it holds a record, or refuse to communicate information, unless the harm to the protected interest that would result from the refusal outweighs the public interest in disclosure.

Information already publicly available

24. Notwithstanding any provision in this Part, a public authority shall not refuse to communicate information where the information is already publicly available.

Severability

25. If a request for information relates to a record containing information which, subject to this Part, falls within the scope of an exception, any information in the record which is not subject to an exception shall, to the extent it may reasonably be severed from the rest of the information, be communicated to the person making the request.

Personal information

26.(1) A public authority may refuse to indicate whether or not it holds a record, or refuse to communicate information, where to do so would involve the unreasonable disclosure of personal information about a natural third party.

(2) Subsection (1) does not apply if–

- (a) the third party has effectively consented to the disclosure of the information;
- (b) the person making the request is the guardian of the third party, or the next of kin or the executor of the will of a deceased third party;
- (c) the third party has been deceased for more than 20 years; or
- (d) the third party is or was an official of a public authority and the information relates to his or her function in that capacity.

Legal privilege

27. A public authority may refuse to indicate whether or not it holds a record, or refuse to communicate information, where the information is privileged from production in legal proceedings, unless the person entitled to the privilege has waived it.

Commercial and confidential information

28. A public authority shall refuse to indicate whether or not it holds a record or to communicate information if–

- (a) the information was obtained from a third party and to communicate it would constitute an actionable breach of confidence;
- (b) the information was obtained in confidence from a third party and –
 - (i) it contains a trade secret; or
 - (ii) to communicate it would, or would be likely to, seriously prejudice the commercial or financial interests of that third party; or
- (c) the information was obtained in confidence from another State or international organization, and to communicate it would, or would be likely to, seriously prejudice relations with that State or international organization.

Health and safety

29. A public authority may refuse to indicate whether or not it holds a record, or refuse to communicate information, where to do so would, or would be likely to, endanger the life, health or safety of any person.

Law enforcement

30. A public authority may refuse to indicate whether or not it holds a record, or refuse to communicate information, where to do so would, or would be likely to, cause serious prejudice to–

- (a) the prevention or detection of crime;
- (b) the apprehension or prosecution of offenders;
- (c) the administration of justice;
- (d) the assessment or collection of any tax or duty;
- (e) the operation of immigration controls; or
- (f) the assessment by a public authority of whether civil or criminal proceedings, or regulatory action pursuant to any enactment, would be justified.

Defence and security

31. A public authority may refuse to indicate whether or not it holds a record, or refuse to communicate information, where to do so would, or would be likely to, cause serious prejudice to the defence or national security of Saint Lucia.

Public authority economic interests

32.(1) A public authority may refuse to indicate whether or not it holds a record, or refuse to communicate information, where to do so would, or would be likely to, cause serious prejudice to the ability of the Government to manage the economy of Saint Lucia.

(2) A public authority may refuse to indicate whether or not it holds a record, or refuse to communicate information, where to do so would, or would be likely to, cause serious prejudice to the legitimate commercial or financial interests of a public authority.

(3) Subsection (1) and (2) do not apply insofar as the request relates to the results of any product or environmental testing, and the information concerned reveals a serious public safety or environmental risk.

Policy making and operations of public authority bodies

33.(1) A public authority may refuse to indicate whether or not it holds a record, or refuse to communicate information, where to do so would, or would be likely to—

- (a) cause serious prejudice to the effective formulation or development of government policy;
- (b) seriously frustrate the success of a policy, by premature disclosure of that policy;
- (c) significantly undermine the deliberative process in a public authority by inhibiting the free and frank provision of advice or exchange of views; or
- (d) significantly undermine the effectiveness of a testing or auditing procedure used by a public authority.

(2) A public authority may refuse to indicate whether or not it holds a record, or refuse to communicate information, which is –

- (a) the official record of any deliberation or decision of Cabinet;
- (b) a document that has been 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;
- (c) a document prepared for the purpose of briefing a Minister of Government in relation to issues to be considered by Cabinet;

- (d) a document that is a copy or draft of, or contains extracts from, a document referred to in paragraph (a), (b) or (c); or
 - (e) 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.
- (3) Subsections (1) and (2) do not apply to facts, analyses of facts, technical or scientific data or statistical information unless the disclosure would involve the disclosure of any deliberation or decision of Cabinet.

Time limits

34.(1) The provisions of sections 27–32 apply only to the extent that the harm they envisage would, or would be likely to, occur at or after the time at which the request is considered.

(2) Sections [28(c), 30, 31 and 32] do not apply to a record that is more than [30] years old.

PART 5 INFORMATION COMMISSIONER

Appointment of Commissioner

35.(1) An Information Commissioner shall be appointed by the Prime Minister after nomination by a two-thirds majority vote of Parliament, and after a process in accordance with the following principles–

- (a) participation by the public authorities in the nomination process;
 - (b) transparency and openness; and
 - (c) the publication in the *Gazette* of a shortlist of candidates.
- (2) A person shall not be appointed may be appointed as the Commissioner if he or she–
- (a) holds an official office in, or is an employee of a political party, or holds an elected or appointed position in Government or Parliament; or

(b) has been convicted, after due process in accordance with internationally accepted legal principles, of a violent crime or a crime of dishonesty or theft, for which he or she has not been pardoned.

(3) The Commissioner shall hold office for a term of [seven] years, and may be re-appointed to serve a maximum of two terms, but may be removed by the Prime Minister upon a recommendation approved by a two-thirds majority vote of Parliament.

Independence and powers

36. (1) The Commissioner shall enjoy operational and administrative autonomy from any other person or entity, including the Government and any of its agencies, except as specifically provided for by law.

(2) The Commissioner shall have all powers, direct or incidental, as are necessary to undertake his or her functions as provided for in this Act, including full legal personality, and the power to acquire, hold and dispose of property.

Salary and expenses

37. The Commissioner shall be paid a salary equal to the salary of a judge of the High Court and is entitled to be paid reasonable travel and living expenses incurred in the performance of his or her duties.

Staff

38. The Commissioner may appoint such officers and employees as are necessary to enable him or her to perform his or her duties and functions.

General activities

39. In addition to any other powers and responsibilities provided for in this Act, the Commissioner may—

- (a) monitor and report on the compliance by public authorities bodies with their obligations under this Act;
- (b) make recommendations for reform both of a general nature and directed at specific public authorities;
- (c) co-operate with or undertake training activities for officials of public authorities on the right to information and the effective implementation of this Act;

(d) refer to the appropriate authorities cases which reasonably disclose evidence of criminal offences under this Act; and

(e) publish, in the *Gazette* and via any other media, the requirements of this Act and the rights of persons under it.

Reports

40.(1) The Commissioner shall, within three months after the end of each financial year, lay before Parliament an annual report on compliance by public authorities with this Act, the activities of his or her office and audited accounts of the his or her office during that financial year.

(2) The Commissioner may from time to time lay before Parliament such other reports as he or she deems appropriate.

Protection of Commissioner

41.(1) No criminal or civil proceedings lie against the Commissioner, or against any person acting on behalf of or under the direction of the Commissioner, for anything done, reported or said in good faith in the course of the exercise of any power or duty pursuant to this Act.

(2) For the purposes of the law of libel or slander, anything said or any information supplied pursuant to an investigation under this Act is privileged, unless that information is shown to have been said or supplied with malice.

PART 6 ENFORCEMENT BY COMMISSIONER

Complaint to Commissioner

42. A person who has made a request for information may apply to the Commissioner for a decision that a public authority has failed to comply with an obligation under Part 3, including by—

(a) failing to respond to a request for information within the time limits established in section 17;

(b) failing to provide a notice in writing of its response to a request for information, in accordance with section 18;

(c) Charging an excessive fee, contrary to section 19 or

(d) Failing to communicate information in the form requested, contrary to section 20.

- (e) refusing to indicate whether or not it holds a record, or to communicate information, contrary to section 5;

Complaint decision

43.(1) The Commissioner shall, subject to subsection (2), decide an application made pursuant to section 42 as soon as is reasonably possible, and in any case within 30 days, after giving both the complainant and the relevant public authority an opportunity to provide their views in writing.

- (2) The Commissioner may summarily reject applications–
 - (a) which are frivolous, vexatious or clearly unwarranted; or
 - (b) where the applicant has failed to use any effective and timely internal appeals mechanisms provided by the relevant public authority.
- (3) In any application pursuant to section 42, the burden of proof shall be on the public or private body to show that it acted in accordance with its obligations under Part 3.
- (4) In his or her decision pursuant to subsection (1), the Commissioner may–
 - (a) reject the application;
 - (b) require the public authority to take such steps as may be necessary to bring it into compliance with its obligations pursuant to Part 3;
 - (c) require the public authority to compensate the complainant for any loss or other detriment suffered; or
 - (d) in cases of egregious or willful failures to comply with an obligation pursuant to Part 3, impose a fine on the public authority.
- (5) The Commissioner shall serve notice of his or her decision, including any rights of appeal, on both the complainant and the public authority.

Direct implementation of decision

44.(1) The Commissioner may, after giving a public authority an opportunity to provide their views in writing, decide that a public authority has failed to comply with an obligation pursuant to Part 3.

(2) In his or her decision pursuant to subsection (1), the Commissioner may require the public authority to take such steps as may be necessary to bring it into compliance with its obligations under Part 3, including by–

- (a) appointing an information officer;
- (b) publishing certain information and categories of information;
- (c) making certain changes to its practices in relation to the keeping, management and destruction of records, and the transfer of records to the Saint Lucia National Archives;
- (d) enhancing the provision of training on the right to information for its officials;
- (e) providing the Commissioner with an annual report, in compliance with section 11;
- (f) in cases of egregious or willful failures to comply with an obligation under Part 3,.

(3) The Commissioner shall serve notice of his or her decision, including any rights of appeal, on the public authority.

Commissioner’s powers to investigate

45. (1) In coming to a decision pursuant to section 43 or 44, the Commissioner shall have the power to conduct a full investigation, including by issuing orders requiring the production of evidence and compelling witnesses to testify.

(2) The Commissioner may, during an investigation pursuant to subsection (1), examine any record to which this Act applies, and no such record may be withheld from the Commissioner on any grounds.

Appeal from Commissioner’s decisions and orders

46.(1) The complainant, or the relevant public authority, may, within 28 days, appeal to the court for a full review of a decision of the Commissioner pursuant to section 43 or 44, or an order pursuant to section 45(1).

(2) In any appeal from a decision pursuant to section 43, the burden of proof shall be on the public authority to show that it acted in accordance with its obligations under Part 2.

Binding nature of Commissioner’s decisions and orders

47. Upon expiry of the forty-five days period for appeals pursuant to section 46, the Commissioner may certify in writing to the court any failure to comply with a decision pursuant to section 43 or 44, or an order pursuant to section 45(1), and the court shall consider such failure under the rules relating to contempt of court.

PART 7 WHISTLEBLOWERS

Whistleblowers

48.(1) A person shall not be subject to any legal, administrative or employment related sanction, regardless of any breach of a legal or employment obligation, for releasing information on wrongdoing, or that which would disclose a serious threat to health, safety or the environment, as long as they acted in good faith and in the reasonable belief that the information was substantially true and disclosed evidence of wrongdoing or a serious threat to health, safety or the environment.

(2) For purposes of subsection (1), wrongdoing includes the commission of a criminal offence, failure to comply with a legal obligation, a miscarriage of justice, corruption or dishonesty, or serious maladministration regarding a public authority.

PART 8 CRIMINAL AND CIVIL RESPONSIBILITY

Good faith disclosures

49. A person shall not be subjected to civil or criminal action, or any employment detriment, for anything done in good faith in the exercise, performance or purported performance of any power or duty in terms of this Act, as long as they acted reasonably and in good faith.

Criminal offences

50.(1) A person shall not willfully—

- (a) obstruct access to any record contrary to Part 2;
- (b) obstruct the performance by a public authority of a duty pursuant to Part 4;
- (c) interfere with the work of the Commissioner; or

(d) destroy records without lawful authority.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a period not exceeding two years or to both.

PART 9 MISCELLANEOUS PROVISIONS

Regulations

51.(1) The Minister may, by notice in the *Gazette* and after consultation with the Commissioner make Regulations for the purposes of give effect to the provisions of this Act.

(2) Without prejudice to the generality of the foregoing the Minister may make Regulations particularly or the following-

(3) The Minister may, after consultation with the Commissioner, make Regulations providing-

(a) to prescribe additional forms of communication of information under section 20;

(b) relating to the training of officials pursuant to section 10;

(c) relating to reports to the Commissioner pursuant to section 11;

(d) to prescribe the form of any notice required by this Act; or

(e) relating to any administrative or procedural matter necessary to give effect to this Act.

(3) Regulations made pursuant to this section shall, subject to the affirmative resolution of Parliament.