



Republic of Zambia



Human Rights Commission-Zambia

THE ACCESS TO INFORMATION ACT, (No. 24 of 2023)

ACCESS TO INFORMATION GUIDELINES, 2025

www.hrc.org.zm

**THE ACCESS TO INFORMATION ACT,
(No. 24 of 2023)**

ACCESS TO INFORMATION GUIDELINES, 2025

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1.0 INTRODUCTION

- 1.1** The Human Rights Commission (the Commission) is the National Human Rights Institution of Zambia, established pursuant to Article 230 of the Constitution of Zambia.
- 1.2** In accordance with section 4 (1) of the Access to Information Act, No. 24 of 2023 (the ATI Act) the Commission is mandated to provide oversight on matters relating to access to information.
- 1.3** Pursuant to section 38 (2) of the ATI Act, the Commission is further mandated to issue and publish guidelines on the following:
- (a) the objects of the ATI Act;
 - (b) the contact details of the Commission;
 - (c) the existing obligations of information holders under the ATI Act, including their proactive disclosure obligations;
 - (d) the methods and means of making information requests; and
 - (e) the rights of persons under the ATI Act, including the assistance available from the Commission to facilitate access to information.

2.0 OBJECTS OF THE ACCESS TO INFORMATION ACT

2.1 The objects of the ATI Act are to –

- (a) provide for the right to access information and its limitations;
- (b) provide for procedures for processing requests for information;
- (c) give effect to the right to access information as guaranteed in the United Nations Convention against Corruption and the African Charter on Human and Peoples Rights; and
- (d) provide for matters connected with, or incidental to, the foregoing.

3.0 OBJECTIVES OF GUIDELINES

3.1 In accordance with the provisions of the ATI Act, the objectives of these Guidelines are to provide for the following:

- (a) guidance on the understanding and identification of who qualifies as an information holder;
- (b) the obligations of information holders under the ATI Act;
- (c) the rights of persons under the ATI Act;
- (d) the categories of persons eligible to make requests for information;
- (e) the procedures and methods for making requests for information;
- (f) the limitations on access to information;
- (g) procedures for appeals to the Commission against decisions of information holders; and
- (h) any other matters connected with, or incidental to, the foregoing.

4.0 DEFINITION OF INFORMATION HOLDER UNDER THE ACCESS TO INFORMATION ACT

4.1 Section 2 of the ATI Act defines an “information holder” as a public or private body.

4.2 A public body includes the Government, any ministry or department of the Government, the National Assembly, the Judicature, a local authority, parastatal, commission or any other body appointed by or established by or under any law, except a professional association or body.

4.3 Accordingly, all public institutions are recognised as information holders for the purposes of the ATI Act.

4.4 Section 2 of the ATI Act defines a “private body” as a private entity or non-state actor that utilises public funds or is in possession of information that is of significant public interest. Therefore,

incorporated entities that have the Government as the shareholder or utilise public funds, or are in possession of information of public interest are considered information holders for the purpose of the ATI Act.

- 4.5** In this context, the term “public funds” refers to funds received electronically or in any other form in person, through the bank or any other financial institution on behalf of the Central or local Government by an office holder by virtue of the office holder’s employment.

5.0 RIGHT TO REQUEST FOR INFORMATION

- 5.1** Every citizen or holder of a residence permit has the right to access information held by, or under the control of, an information holder.
- 5.2** The right to access information shall not be affected by any reason the requester gives for seeking access to information.
- 5.3** A requester has the right to receive information in an accessible format within seven working days from the date of making the request.
- 5.4** The information holder’s belief as to the reason for the request for information shall not affect the right to access information.
- 5.5** An information holder shall not impose or charge any fee for the lodgement of a request for access to information. This means that an information holder shall not charge a fee for receiving a request for access to information.
- 5.6** Despite **Guideline 5.5**, an information holder may charge a fee set out in the Second Schedule of the Access to Information (General) Regulations, 2025 (the Regulations) for a request made where the information is required by the requester to be duplicated, translated or transcribed.

6.0 RIGHTS OF PERSONS UNDER THE ACCESS TO INFORMATION ACT

- 6.1** Section 2 of the ATI Act defines “person” to mean an individual, a company, or an association of persons, whether corporate or unincorporated.

In relation to the right to request information from an information holder, “*person*” shall be understood, in accordance with section 6 of the ATI Act, to mean a citizen or a holder of a residence permit.

6.2 The rights of persons under the ATI Act include the right to -

- (a) access information upon request made in a prescribed manner to an information holder;
- (b) be informed by an information holder whether or not the information or record exists;
- (c) not be required to provide reasons or justification to an information holder for seeking access to information;
- (d) receive written communication from the information holder regarding the grant or refusal of the request, including the reasons for such decision, within seven (7) working days from the date the information holder received the request;
- (e) be informed by the information holder of the right to appeal against any decision of the information holder;
- (f) be informed, in writing, where there is an extension of time within which the information holder shall process the request for access to information, provided that such extension shall not exceed fourteen (14) working days;
- (g) access information from an information holder in a manner that is timely, efficient and inexpensive;
- (h) have an information holder interpret and apply any law, policy or practice relating to access to information in accordance with the principle of presumption of disclosure;
- (i) appeal to the Commission against any extension of time within which an information holder may process a request for access to information;
- (j) appeal to the Commission, in the manner and form prescribed by the Access to Information (Appeals) Rules issued by the Chief Justice, against the refusal of a request for information, within thirty (30) days of the decision of the information holder; and
- (k) appeal to the High Court if aggrieved by a decision of the

Commission. This right of appeal applies to both the information holder and the requester of information.

7.0 OBLIGATIONS OF INFORMATION HOLDERS UNDER THE ACCESS TO INFORMATION ACT

- 7.1** In accordance with section 7 of the ATI Act, every information holder has an obligation to keep, organise and maintain information in either print or electronic formats that facilitate the right of access to information as provided for under the ATI Act.
- 7.2** This obligation requires information holders to ensure that information is systematically stored and managed in a manner that allows for timely and convenient access by any requester of information, whether in print or electronic form.
- 7.3** Information holders shall provide information to persons with disabilities in accessible means, modes, formats and technologies of communication appropriate to different kinds of disabilities in a timely manner.
- 7.4** Pursuant to section 8 (1) of the ATI Act, an information holder shall publish the following information in the Gazette and a daily newspaper with wide circulation within the Republic, or through any other electronic media platform that the information holder may determine -
- (a) the structure and functions of the information holder;
 - (b) the services offered by the information holder to members of the public and the manner of accessing such services;
 - (c) the norms and standards set by the information holder for the performance of its functions;
 - (d) any laws, instructions, guidelines, or manuals applied by the institution or its employees in carrying out its duties;
 - (e) a description of the mechanisms or procedures available to members of the public to make representations, participate in, or influence the formulation of, policy or the decision-making processes of the information holder;

- (f) the procedures followed in decision-making process, including relevant channels of supervision and accountability;
- (g) a description of remedies available to the public in relation to any act or omission by the information holder;
- (h) detailed information on the design and execution of any subsidy programme financed through public funds, including the amounts allocated, criteria for accessing the subsidy, and the beneficiaries of such programmes;
- (i) particulars of any concessions, licences, permits or authorisations granted, refused, or cancelled by the information holder;
- (j) details relating to the signing of contracts and information pertaining to such contracts, including –
 - (i) the public works or goods acquired or rented;
 - (ii) the services contracted, including any sketches, scopes of work, or terms of reference related to the contract;
 - (iii) the amount of money involved in the contract;
 - (iv) the name of the supplier, contractor, or individual to whom the contract has been awarded; and
 - (v) the period within which the contract is to be completed;
- (k) the official contact details of the information holder, including its postal and physical address, phone number, email address and any other relevant means of communication; and
- (l) any additional information that the Commission may determine.

7.5 Under section 8 (2) of the ATI Act, every information holder has an obligation to ensure that -

- (a) a person who is likely to be affected by the information holder's decision or action has access to the reasons for that decision or action;

- (b) a person who is likely to be affected by the information holder's decisions or actions relating to a proposed project, policy, scheme, programme, or law is informed of the relevant facts and has reasonable access to information within the knowledge or possession of the information holder;
- (c) information concerning the operations of the information holder is disclosed to the public in the interest of transparency, accountability and the promotion of democracy; and
- (d) the information is disseminated as widely as possible, taking into consideration the local coverage area, the local language, and the most effective method of communication within that area.

7.6 Every information holder has the obligation to bi-annually update information that is subject to publication under section 8 of the ATI Act in an accessible format.

7.7 An accessible format shall be as defined under sections 18 and 19 of the ATI Act, and may include electronic or physical copies.

8.0 PROACTIVE DISCLOSURE OBLIGATIONS

8.1 Pursuant to section 8 of the ATI Act, information holders shall routinely publish information on an ongoing basis. This obligation is distinct from the duty to make information available in response to specific requests made under the ATI Act.

8.2 The minimum information that must be proactively disclosed is outlined under **Guideline 7.4**. Every information holder must make available such information, except where-

- (a) the information holder does not possess or control the information; or
- (b) the information is exempt from disclosure under the provisions of Part IV of the ATI Act.

- 8.3** Despite **Guideline 8.1**, an information holder shall not publish or disclose any information that is classified or exempt under Part IV of the ATI Act.
- 8.4** Information holders should ensure that any information published in accordance with these Guidelines is kept up to date. Where the content of any publication changes or is revised, the publication shall be updated and the revised version made accessible to the public without undue delay.
- 8.5** For the purposes of these Guidelines, “*proactive disclosure*” means the routine and voluntary release of information by an information holder, without the need for a prior request, in order to promote transparency, accountability and public participation.

9.0 REPORTS BY INFORMATION HOLDERS

- 9.1** In accordance with sections 4(3) and 34 of the ATI Act, every information holder shall, not later than three (3) months after the end of each financial year, submit a written report to the Commission and the Ministry responsible for information.
- 9.2** The report shall contain the following particulars:
- (a) measures taken to meet the information holder’s disclosure obligations under section 8 of the ATI Act;
 - (b) the number of requests for information received and granted, in full or in part;
 - (c) the number of requests granted in the public interest;
 - (d) the number of requests denied, in full or in part; and
 - (e) the number of cases in which the periods stipulated for providing access to information were extended.

10.0 COMPLIANCE MONITORING BY THE MINISTRY RESPONSIBLE FOR INFORMATION AND IMPOSITION OF ADMINISTRATIVE PENALTIES BY THE COMMISSION

- 10.1** The Ministry responsible for information shall monitor the compliance by information holders with the obligations set out under the ATI Act and shall report its findings to the Commission.
- 10.2** Pursuant to section 35 of the ATI Act, the Commission may impose an administrative penalty on any information holder that fails to comply with the provisions of the ATI Act. Such penalty shall not exceed the amount prescribed by the Minister responsible for information, through a statutory instrument, and shall be applicable for each day that non-compliance continues.
- 10.3** In accordance with section 35 (4) of the ATI Act, where an information holder fails to pay an administrative penalty within the stipulated period under section 35 (3), the Commission may, by way of civil action in a court of competent jurisdiction, recover the amount due as an outstanding debt owed to the Commission.

11.0 APPOINTMENT OR DESIGNATION OF INFORMATION OFFICER

- 11.1** Pursuant to section 9 of the ATI Act, every information holder shall appoint or designate at least one officer to serve as an information officer. The appointed or designated officer shall be responsible for receiving and processing requests for information, and for providing assistance to requesters in accordance with the provisions of the ATI Act.
- 11.2** An information holder shall designate or employ such number of persons as information officers, as may be necessary to provide assistance to requesters, in compliance with the ATI Act.
- 11.3** Where an information holder has not appointed or designated an information officer, the head of the institution shall assume the role and responsibilities of the information officer for purposes of processing information requests and rendering assistance to requesters.

- 11.4** An information holder shall establish internal procedures and processes to facilitate the effective handling of requests for information and the fulfilment of obligations under the ATI Act.
- 11.5** An information holder shall facilitate appropriate training for its officials on the right to access information.

12.0 METHODS AND MEANS OF MAKING REQUESTS

- 12.1** A requester shall make a request to access information from an information holder in **Form I** set out in the First Schedule of the Regulations.
- 12.2** A requester who is unable to make a written request may make the request verbally and the information officer shall reduce the request into writing on behalf of the requester, in the prescribed form, and provide a copy of the request to the requester.
- 12.3** Where a request is made to an information holder, the information holder shall acknowledge receipt of the request using **Form IA** set out in the Schedule to these Guidelines, and shall issue a copy of the acknowledgment to the requester.
- 12.4** Where the information requested cannot be found or is determined to be unavailable after the information holder has made reasonable efforts to locate it, the information holder shall notify the requester in **Form II** set out in the First Schedule of the Regulations.
- 12.5** Where the requested information concerns a third party, the information holder shall issue a written notice to that third party in accordance with section 20 of the ATI Act.
- 12.6** A third party to whom a notice has been issued under section 20 of the ATI Act shall, in writing, either consent to or object to the disclosure of the requested information.
- 12.7** Where a third party fails to provide consent or does not respond to the notice within seven (7) working days of its receipt, in accordance with section 20 of the ATI Act, the information holder shall inform the requester that access to the requested information has not been granted.

- 12.8** Where an information holder defers a request for access to information under section 15 of the ATI Act, the information holder shall issue a notice of deferral to the requester using **Form IB** set out in the Schedule to these Guidelines.
- 12.9** Where an information holder extends the period within which access to information is to be provided, in accordance with section 13 of the ATI Act, the information holder shall issue a notice of extension to the requester using **Form IC** set out in the Schedule to these Guidelines. The notice of extension shall be issued within seven (7) working days of receiving the request.
- 12.10** (a) An information holder may, within five (5) days of receiving a request, transfer the request, or a part of it, to another information holder, if the information requested is or could be held by that other information holder. The transfer of the request shall be made using **Form ID** set out in the Schedule to these Guidelines.
- (b) Where an information holder transfers a request for access to information, the information holder shall, within seven (7) working days of receiving the request, issue a notice of the transfer to the requester using **Form IE** set out in the Schedule to these Guidelines.
- (c) Upon receipt of a transferred request under paragraph (a), the receiving information holder shall issue to the requester a notice of acknowledgement of receipt of the transferred request using **Form IF** set out in the Schedule to these Guidelines.
- (d) A request that has been transferred under paragraph (a) shall not be transferred to a subsequent information holder.
- 12.11** (a) A requester shall not be required to pay or bear any cost when submitting a request for access to information to an information holder.
- (b) Subject to **Guideline 5.6**, an information holder shall bear all administrative costs associated with the processing and handling of requests for information.
- 12.12** When a requester seeks information that requires duplication, translation, or transcription, the requester may be required to pay a non-refundable fee as prescribed in regulation 3 (8) of the Regulations.

- 12.13** Upon receipt of any prescribed fee payable, the information holder shall issue to the requester a Payment Slip in **Form IG** set out in the Schedule to these Guidelines.

13.0 ASSISTANCE AVAILABLE FROM THE COMMISSION

13.1 The Commission has the mandate to-

- (a) hear and determine appeals arising from decisions of information holders relating to access to information. Such appeals shall be handled in accordance with the procedure set out in the Access to Information (Appeals) Rules;
- (b) advise information holders on matters relating to the coordination and management of information held by or under the control of information holders;
- (c) in collaboration with the Ministry responsible for information, develop, promote and conduct awareness programmes to educate the public on the right to access information;
- (d) develop and undertake training activities for information holders on the right to access information and the effective implementation of the ATI Act;
- (e) in consultation with the Ministry responsible for information, make recommendations for reform of a general nature, directed at specific information holders, as may be necessary to improve access to information;
- (f) make recommendations to the Minister responsible for information on matters relating to access to information; and
- (g) issue directives to information holders, from time to time, for the purpose of ensuring compliance with the ATI Act.

14.0 LIMITATIONS ON ACCESS TO INFORMATION

- 14.1** An information holder shall not grant a request for access if the information requested is exempted under Part IV of the ATI Act.
- 14.2** Where an information holder refuses to grant a request in accordance with **Guideline 14.1**, the holder shall, within seven (7) working days of receiving the request, provide the requester with written reasons for the refusal.
- 14.3** Where a request relates to information contained within a record that includes both exempted and non-exempt information, the information holder shall remove or redact the exempted portions and grant access to the remaining non-exempt information.

15.0 CONTACT DETAILS OF THE COMMISSION

- 15.1** The contact details of the Commission are as follows:

The Director-General
Human Rights Commission
Human Rights House Stand No. 36871
Independence Avenue
P.O. Box 33812
LUSAKA

Tel: +260-0211-251327/251357
Toll free line: 8181
WhatsApp: +260 954 443 010
Email: info@hrc.org.zm
Email: complaints@hrc.org.zm

Website: www.hrc.org.zm

PROVINCIAL OFFICES

Human Rights Commission
Central Province Office
Plot No. 6 Marshal Avenue
Opposite Zamtel Post Office
Mobile: +260 957 445 833
KABWE

Human Rights Commission
Copperbelt Province Office
Plot No.88189 Moffat Road
P.O. Box 240528 Ndola
Mobile: +260 954 170 753/ +260 970 520 355
NDOLA

Human Rights Commission
Eastern Province Office
Plot No. 916 Anoya Zulu Road
P.O. Box 510496 Chipata
Mobile: +260 954 170 748/ +260 970 520 352
CHIPATA

Human Rights Commission
Luapula Province Office
NAPSA Building along Chitimukulu Road
Mobile: +260 970 520 356/+260 958 122 370
MANSA

Human Rights Commission
Muchinga Province Office
Plot No. 1588 Mayadi Compound
Lubwa Road
Mobile: +260 970 520 358
CHINSALI

Human Rights Commission
Southern Province Office
House No. 1861/1 Muchinga Road Livingstone
P.O. Box 60935 Livingstone
Mobile: +260 975 961 028/ +260 764 353 543
LIVINGSTONE

Human Rights Commission
Northern Province Office
Plot No. 696 Lunzua Road Kasama
Mobile: +260 954 170 760/ +260 957 446 032
KASAMA

Human Rights Commission
North- Western Province Office
Room No. 134 NAPSA Building Solwezi
Mobile:+260 764 353 519
SOLWEZI

Human Rights Commission
Western Province Office
Plot No. 164 Senanga Road Mongu
P.O. Box 910447 Mongu
Mobile: +260 958 122 374
MONGU

Dr. Pamela Towela Sambo
Chairperson
Human Rights Commission

Lusaka
10th November, 2025
[HRC.101/75/59]

SCHEDULE

Form IA

Guideline 12.3

Serial No.: _____

REF No.: _____



Access to Information Act
(Act No. 24 of 2023)
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**ACKNOWLEDGEMENT OF RECEIPT OF REQUEST FOR ACCESS TO
INFORMATION**

(This Form should be filled in triplicate)

To: _____
(Name of requester)

I _____, information officer at _____
(Name of information officer) *(Name of information holder)*

acknowledge the request to access information received on ____ / ____ 20____, having reference number _____

Date: ____ / ____ 20____

Name of information officer

Signature of information officer

Official Stamp

**Original: to requester
Duplicate: to information holder
Triplicate: to be retained for compliance audit*

Form IB

Guideline 12.8

Serial No.: _____

REF No.: _____



Access to Information Act
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DEFERRAL OF ACCESS TO INFORMATION

(This Form should be filled in triplicate)

NOTICE OF DEFERRAL OF INFORMATION TO: _____
(Name of requester)

TAKE NOTICE that—

The information you requested for from _____ on _____ 20____
(Name of information holder)

Has been deferred as the request relates to information that:

- (a) will be published within thirty days after the receipt of the request for information; or
- (b) is subject of judicial proceedings pending before a court or tribunal.

*(*Delete whichever is not applicable)*

In reference to paragraph (a), the request for access to information has been deferred for a period of _____ days.
(Not exceeding thirty days)

You are required to, within fourteen days of being informed of the deferral, make representations to the information holder as to why the information is required before its publication or before the period of thirty days.

Date _____ / _____ 20____

Name of information officer

Signature of information officer

Official Stamp

**Original: to requester*

Duplicate: to information holder

Triplicate: to be retained for compliance audit

Form IC
Guideline 12.9

Serial No.: _____

REF No.: _____



Access to Information Act

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NOTICE OF EXTENSION OF PERIOD TO ACCESS INFORMATION

(This Form should be filled in triplicate)

NOTICE OF EXTENSION OF PERIOD TO: _____
(Name of requester)

TAKE NOTICE that—

The request to access information that you lodged with _____
(Name of information holder)

on _____ 20____ has been extended for a period of _____
(Not exceeding fourteen days).

Reason(s) for extension of period

Provision(s) of the ATI Act relied upon

Date: _____ / _____ 20____

Name of information officer

Signed by/for head of information holder

Official Stamp

Note: The requester may appeal to the Commission against the extension of time if the extension is considered to be dilatory.

**Original: to requester*

Duplicate: to information holder

Triplicate: to be retained for compliance audit

Form ID
Guideline 12.10(a)

Serial No.: _____

REF No.: _____

Access to Information Act
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NOTICE OF TRANSFER OF REQUEST FOR INFORMATION

The Transfer of Request for Information shall be made within five days of receiving the request.

(This Form should be filled in triplicate)

TRANSFER OF REQUEST

To:.....
(here insert details of information holder to whom transfer is made)

TAKE NOTICE that—

On 20..... (requester’s name) of (requester’s address)..... lodged with
(initial information holder) a request for information attached hereto.

The information requested is not in the possession or control of this information holder

(Name and address of information holder)

(a) is in the possession of another information holder

(Name of information holder)

(b) the subject matter of the information is more closely connected with the functions of another
information holder

(Name of information holder)

The request has been transferred to the information holder in possession of the information or which is more closely
connected with the subject matter of the information requested for.

Date: _____ / _____ 20 _____

Name of information officer

Signed by information holder

** Attach copy of original request for information*

Official Stamp

**Original: to the receiving information holder
Duplicate: to the transferring information holder
Triplicate: to be retained for compliance audit*

Form IE
Guideline 12.10(b)

Serial No.: _____

REF No.: _____

Access to Information Act
(Act No. 24 of 2023)
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NOTICE OF TRANSFER OF REQUEST FOR INFORMATION (TO REQUESTER)

*The Notice of Transfer of Request for Information shall be made within seven days of receiving the request.
(This Form should be filled in triplicate)*

NOTICE OF TRANSFER OF REQUEST

Full Name: _____ Sex: _____ Identity Number: _____

Postal/Physical Address: _____

Contact No: _____

TAKE NOTICE that—

The information to which you requested access on: _____
(Date)

- (a) is not in the possession or control of this information holder

(Name and address of information holder)

- (b) is in the possession of another information holder

(Name of information holder)

- (c) the subject matter of the information is more closely connected with the functions of another information holder

(Name of information holder)

Your request has been transferred to the information holder in possession of the information or which is more closely connected with the subject matter of the information requested for.

Date: _____ / _____ 20 _____
(Name of information officer)

Signed by/for head of information holder

Official Stamp

*Original: to requester
Duplicate: to information holder
Triplicate: to be retained for compliance audit

Form IF
Guideline 12.10(c)

Serial No.: _____

REF No.: _____



Access to Information Act
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ACKNOWLEDGEMENT OF RECEIPT OF TRANSFER OF REQUEST FOR INFORMATION

(This Form should be filled in triplicate)

Transferred request from: _____
(Name of information holder from which request was received)

I _____ *(State name of information officer)* under the _____
_____ *(Name of information holder)* hereby acknowledge receipt of the request
for access to information which was transferred from _____ *(Name*
of information holder) on _____ *(Date of receipt of transfer)* regarding the
request for information made by _____ *(Name of requester)* with reference
number _____.

Date: _____ / _____ 20 _____

Name of information officer

Signature of information officer

Official Stamp

**Original: to requester*

Duplicate: to the receiving information holder

Triplicate: to be retained for compliance audit

Form IG
Guideline 12.13

Serial No.: _____

REF No.: _____



Access to Information Act
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PAYMENT SLIP
(This Slip should be filled in triplicate)

To: _____
(name and address of requester)

I _____ hereby acknowledge receipt of
(State name of information officer and information holder)

_____ as payment of the non-refundable fee payable from

(Name of requester)

Date: _____ / _____ 20_____ _____
Name of information officer

Signed by information officer

Official Stamp

**Original: to requester
Duplicate: to information holder
Triplicate: to be retained for compliance audit*



Human Rights
Commission - Zambia



www.hrc.org.zm



Human Rights
Commission Zambia



[hrc. zambia](https://www.instagram.com/hrc.zambia)



info@hrc.org.zm



[@hrc_zambia](https://twitter.com/hrc_zambia)



0954 443 010



Human Rights Commission - Zambia