



National Assembly Enacts Law on Transparency and Access to Information of Public Interest

By Holland & Knight

The National Assembly enacted the Law on Transparency and Access to Public Information on Sept. 20, 2021, in the *Official Gazette* 6,649. The purpose of this law is to guarantee citizens' right to access information of public interest and thus allow them to participate in the design, formulation and strengthening of the state. To this end, it establishes that natural persons, without any discrimination, have the right to access information of public interest, which is defined as any data or document that is necessary for citizens to participate in the public agenda of the state, and that is under control or has been filed before organs and entities of the national, state and municipal government, as well as the institutions of the Popular Power so long as they exercise administrative functions.

In this sense, the law establishes that if a citizen requests public information that is not subject to nondisclosure (the corresponding public entity must duly substantiate the nondisclosure of information according to law), it must be delivered within 20 business days from the date the request was filed, if legal requirements have been met. Furthermore, if the requested information is denied in whole or in part, the public entity to which the request has been filed must duly substantiate this decision.

For the legislative session of September, the National Assembly also enacted the Organic Law for the Reform of the Organic Code of Criminal Procedure, the Law Approving the Ratification of the Protocol to Eliminate Illicit Trade of Tobacco Products, and the Law for the Safeguarding of Intangible Cultural Heritage.

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