[EE] Public Information Act Enters into Force

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On 1 January 2001, the Public Information Act of the Republic of Estonia came into force. It guarantees public access to information and establishes a mechanism for government agencies to provide information to the public. The law considers Internet to be one of the major means of access to information, and therefore stipulates specific rules regarding Internet use in order that government agencies fulfil their obligations to provide information.

The law enumerates different types of information that shall be available to the public. They concern primarily the activities of national and local government bodies, statistical and factual information that is considered vital for the "life, health and property of persons" (e.g., environmental information), as well as official documents and other acts (draft law and regulations submitted for passage/approval to the authorities, court judgements that have entered into force, administrative agencies' registers, etc.). Article 29 obliges the holders of such information to publish it on their respective websites as well as disseminate it by other means. The law obliges the major public institutions of the Republic (the Chancellery of the Riigikogu (the Estonian Parliament), the Office of the President, the Office of the Legal Chancellor, government agencies, etc.) to maintain their websites for the dissemination of information. Municipal governments shall also maintain websites to provide details of their activities and to disclose information in their possession.

Art. 32 establishes specific requirements as to the contents of such websites. The national and local government agencies shall provide up-to-date information, as well as details of how to contact them. They shall not post on the sites outdated, inaccurate or misleading information. On its website, a holder of information shall indicate the date of issue of each document and that of the update of the information. Those agencies shall also be responsible for resolving technical problems that might hinder access to the site.

The law establishes the Data Protection Inspectorate to supervise the compliance with the prescribed procedures of providing information, including the obligation on certain holders of information to create and maintain websites pursuant to the procedure provided by law. Within its competence, the Inspectorate may issue an order requiring a holder of information to bring its activities into accordance with the law, e.g. if the Inspectorate finds that the former "has not performed the obligation to maintain a web site as required" (Art. 50).

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Avaliku teabe seadus, passed 15 November 2000, entered into force 1 January 2001. Riigi Teataja (I 2000, 92, 597)

Public Information Act of the Republic of Estonia, passed 15 November 2000, entered into force 1 January 2001. Officially published in the State Gazette (I 2000, 92, 597)

http://www.legaltext.ee/en/andmebaas/ava.asp?m=022

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