

## About requests of Access to Public Information

### What is a request of Access to Public Information?

“Request of access” is the name given by law to the request made by an individual or legal entity to access information held by a public institution. Such request is submitted in writing to the head of the institution that is in possession of the information, indicating name and address, as well as contact details, the information to be obtained and the preferred format for receiving such information. This is called “Passive Transparency”. The choice of a particular format does not bind the institution.

### In what cases can the public institution refuse to provide the information?

The public institution may refuse to provide any information that the law has defined as “secret”, as well as information classified as “reserved” or “confidential” (art. 8).

### What happens if information is unreasonably withheld or if, after the deadline, there is no response?

Generally, the institution may only deny the information by means of a well-founded resolution, indicating the regulations on which such denial is based. In other words, it must explain why the requested information is secret, reserved, or confidential (art. 18).

In the event that the institution does not respond in due time and form, and/or does not request an extension of the deadline, the requestor shall have the right to access the information requested. Likewise, in these cases the requestors shall have the right to start legal proceedings to claim their right.

### How many days do public institutions have to respond to a request of access?

The institution may respond immediately if possible. Otherwise, it has a period of twenty working days to provide or deny access to the requested information. Likewise, in the event that there are certain grounds and exceptional circumstances, such term may be extended for a period of twenty working days.



## What happens if the institution to which a request was submitted is found to be incompetent in the matter or does not possess the information?

In this case, the institution must inform the requestor of the situation.

## Can the information be requested by a journalist for its publication?

Yes, the information may be requested by any individual or legal entity. It is not necessary to indicate or explain the requestor's profession.

## Can anyone request public information?

Article 15 states that "any individual or legal entity may submit a request to access to information in possession of regulated parties" and Article 3 states that there is no "need to justify the reasons for which the information is requested".

However, it should be noted that there may be information that must be considered "secret" or must be classified as "confidential" or "reserved" pursuant to the Law. In the first case, the determination is legal and specific; the others are regulated by articles 9 and 10.

## Is it possible to choose how to receive the answer?

Yes, the person requesting the information may choose the format in which he/she prefers to receive it. However, it is not mandatory for the institution to deliver the information in the medium chosen by the requestor (art. 3, paragraph C).

## Is there a cost to request information?

Access to public information held by public institutions is always free of charge; only the equivalent of the value of the format used for the reproduction of the information will be charged (art. 19).



## Is it necessary to justify why certain public information is required?

It is not necessary to justify the reasons for requesting the information. Access to public information is a fundamental right of all persons, and therefore it is not necessary to explain the reasons for such request (art. 3).

## How should public information be requested?

In accordance with the provisions of Article 13 of the Law, the application shall be made as follows:

- In writing.
- To the institution that holds the requested information  
<https://www.gub.uy/unidad-acceso-informacion-publica/como-solicitar-informacion-publica>
- It is necessary to identify oneself, indicate the address and the chosen contact method (email, telephone).
- Describe the information requested and add all the necessary details that may help locate such information.
- Indicate the preferred format for receiving the information, notwithstanding the fact that this does not bind the holder of the information.
- To learn more about how to make a request of access:  
<https://www.gub.uy/unidad-acceso-informacion-publica/como-solicitar-informacion-publica>

## Is it possible to request information from a public institution directly to the UAIP?

No. The Unit does not have the public information of all institutions. However, the UAIP is obliged to respond to requests of access to its own information.

## Where can I submit a request of Access to Public Information?



The request of access to public information must be submitted to the institution that has the information to be requested.

## Do I need a lawyer to request information?

No; the right of access can be exercised by any person without the need of a lawyer.

To learn more about how to make a request for access: <https://www.gub.uy/unidad-acceso-informacion-publica/como-solicitar-informacion-publica>

## Who can submit a request to Access to Public Information?

The request to access to public information may be submitted by any individual or legal entity, regardless of their nationality or the nature of the information requested. It shall not be necessary to justify the reasons for requesting the information either. Article 3 states that “the right of access to public information is a right of all persons”.

