

Information Act No. 140/2012

as amended by Act No. 82/2015, No. 115/2015, No. 117/2016, No. 45/2018, No. 90/2018, No. 71/2019 and No. 72/2019

CHAPTER I

Objective and scope

Article 1

Objective

The objective of this Act is to guarantee transparency in government administration and the handling of public interests, inter alia with the purpose of strengthening the following:

1. the right to information and the freedom of expression,
2. possibilities for the public to participate in a democratic society,
3. the restraints exercised by the media and the public on [public parties] ¹⁾,
4. possibilities for the media to communicate information on public affairs,
5. public confidence in government administration.

¹⁾ Act No. 72/2019

Article 2

Scope

This Act applies to all government activities.

This Act applies to all operations of legal entities in which a share of 51% or more is in public ownership. However, the Act does not apply to legal entities which have applied for or received an official listing of shares according to the Act on Stock Exchanges, nor to their subsidiaries.

If the operations of a legal entity falling under the second paragraph occur almost entirely in market competition, the minister may, upon receiving a proposal from the appropriate minister or local authority as well as comment from the Competition Authority, decide that this entity shall not fall under the scope of this Act, and may also withdraw such a decision. The ministry shall keep an official list of the legal entities which have received an exemption according to this paragraph, and the exemptions of individual entities shall be reviewed every three years. Decisions pursuant to this paragraph shall enter into force upon publication in Section B of the Law and Ministerial Gazette. [The provisions of Chapter VII do not fall under the sphere of validity of this paragraph.] ¹⁾

[This act applies to the executive management of parliament, Althingi, and is further defined in the Act on Parliamentary Procedures and in the rules of the Althingi Speakers' Committee that are set on their grounds. The provisions of the act do not apply to the Ombudsman of the Althingi, the Icelandic National Audit Office (INAO) or the investigative committees according to Act no. 68/2011 on Investigative Committees. Accessing information with these institutions is subject to the stipulations of law about said information or according to the rules set on their grounds. The provisions of Chapter V-VII do not apply to the Althingi or its institutions.

This Act applies to the courts and the judiciary except for the provisions of Chapters V-VII. However, the Act does not apply to data in their possession regarding the handling of individual lawsuits and copies from the Register of Judgments, the Register of Procedure and journals, and the Court Register.] ¹⁾

¹⁾ Act No. 72/2019

Article 3

Private sector entities to which public projects are assigned

This Act applies to private sector entities, whether these are in public ownership or not, to the extent that these entities have been assigned through legislation or a decision or agreement based on a statutory authorisation to take government decisions or perform services which by law are to be performed by a government authority or which are otherwise considered an element of a government authority's official role.

Article 4

Scope in relation to other statutes and international agreements

This Act does not apply to property registrations, enforcement proceedings, the arrest of property, attachments, injunctions, forced sale, payment moratoria, compositions, liquidations, estate settlements or other administrative settlements, nor to investigations or prosecutions in criminal cases.

This Act does not cover access to information under the Administrative Procedures Act. Nor does this Act apply to information which is to be kept confidential according to any international agreement to which Iceland is party.

Provisions which in any other statute authorise more extensive access to information shall remain in force. General statutory provisions on confidentiality shall not restrict any access to material pursuant to this Act.

This Act shall apply to access to documents for 30 years after they have been created. This time is based on the last entry or last correspondence in a closed matter. After this time, access shall be subject to the Act on [Public Archives]. ¹⁾

¹⁾ Act No. 72/2019

CHAPTER II

Public access to information

Article 5

Public right of access to material

Upon request, public access is to be granted to the available material on any specific matter, subject to the restrictions stated in Articles 6-10. The same applies to requests for access to particular available documents. Nonetheless, there is no requirement to prepare new documents or further material, in excess of what can be inferred from the third paragraph.

The right of access to material shall apply to:

1. all of the material related to a matter, including copies of correspondence sent by a government authority or other entity according to Chapter I, if this correspondence may be expected to have reached the recipient,
2. diary entries concerning material relating to the matter, and lists of case materials.

If the provisions of Articles 6-10 on limitations to the right to information cover only part of the material, access shall be granted to the other parts of it.

Article 6

Material exempted from the right to information

The public right of access to material shall not extend to:

1. minutes of State Council meetings and Cabinet meetings, memoranda at ministerial meetings, or the material prepared for such meetings,
2. material prepared by local authorities, their associations or their bodies when this material concerns joint preparations, formulations of proposals or negotiations of these parties with the State on the financial concerns of local authorities,
3. correspondence with experts [in connection with legal disagreement or]¹⁾ for use in legal proceedings or in investigating whether or not to initiate such proceedings,
4. material related to personnel matters, cf. Article 7,
5. working documents, cf. Article 8.

¹⁾ Act No. 72/2019

Article 7

Information on matters of personnel

The right of the public to access material concerning matters of personnel employed by the entities which this Act covers, pursuant to Article 2, shall not include material in matters

regarding job applications, career advancement or other aspects of the employment relationship. [Moreover, the public information right does not apply to data containing information about advice by the Prime Ministry or another competent party, to the national authorities or their employees regarding the interpretation of codes of conduct.]¹⁾

When other limitations to the right to information under this Act do not apply, despite the provisions of the first paragraph, information must be provided on the following points regarding public employees:

1. names and professional designations of job applicants, once the application deadline has passed,
2. names of employees and their areas of responsibility,
3. terms of fixed remuneration of employees other than senior managers,
4. remuneration terms of senior managers,
5. the education of senior managers, as well as their job priorities and the results which they are required to achieve, as stated in their employment agreements or other material.

Furthermore, information may be provided on employment sanctions to which senior managers have been subjected, including sanctions entailing expulsions and cautions, on condition that no more than four years have passed since the decision in question.

In the same manner, the public must be provided with information on the following points relating to the employees of legal entities falling under this Act, according to the first sentence of the second paragraph of Article 2:

1. names of employees and their areas of responsibility,
2. the education of senior managers, as well their terms of remuneration.

As regards information falling under the second and fourth paragraphs, the public has a right to access it from the employer involved, even if this information is not found in the material pertaining to a specified matter.

¹⁾ Act No. 72/2019

Article 8

Working documents

Working documents are considered to be the material written or prepared by government authorities or [other parties, cf. Chapter I]¹⁾, in the sense of Articles 2 and 3, for their own use while preparing a decision or some other resolution of a matter. When such material has been turned over to another party, it shall no longer be regarded as working documents, unless it was only being turned over to a supervisory authority due to legal obligations.

Working documents also include the following material, provided it meets the requirements of the first paragraph in other respects:

1. [data that transmits between parties that fall under the Act's sphere, cf. Chapter 1, when a person carries out secretarial duties or comparable work for another], ¹⁾
2. material prepared by committees or working groups with a fixed role which have been set up through a formal decision by a [party cf. Chapter I], ¹⁾
3. material sent between a party pertaining to Sub-paragraph 2 and other [party cf. Chapter I] ¹⁾ when the personnel of these authorities are members of the committee or group.

Notwithstanding Sub-paragraph 5 of Article 6, working documents must be handed over if any of the following applies:

1. the documents include a final decision on the handling of a matter,
2. the documents include information which ... ¹⁾ is obligated to file, according to the first paragraph of Article 27,
3. the documents include information on the circumstances of a case which does not appear anywhere else,
4. the documents include a description of task procedures or administrative practice in a particular field.

¹⁾ Act No. 72/2019

Article 9

Restrictions to the right to information, on account of private interests

Public access is prohibited to material concerning any of an individual's private or financial affairs which would be reasonable or appropriate to keep secret, unless the person concerned gives consent. The same restrictions cover access to material which concerns any important [active] ¹⁾ financial or commercial interests of businesses or other legal entities.

¹⁾ Act No. 72/2019

Article 10

Restrictions to the right to information on account of public interests

Public access to material may be restricted if such restriction is necessitated by important public interests because of the material containing information on:

1. state security or defence issues,
2. relations with other States or international organisations,
3. economically significant State interests,
4. the business of State-owned or municipally owned institutions or companies insofar as they are competing with other bodies,
5. planned arrangements or examinations under public auspices, if these arrangements or examinations would lose their meaning or not achieve their intended results upon becoming common knowledge,

6. environmental matters such as the location of rare minerals, fossils or rock formations, or the habitats of rare species of organisms, if revealing this material might seriously affect the protection of the environmental aspects to which the information relates.

Article 11

Additional access

Access to material may be granted to a greater degree than required by this Act, insofar as doing so is not barred by any other rules of law, inter alia legislative provisions on confidentiality and the protection of privacy.

When government authorities, cf. the first paragraph of Article 2, refuse a request for access to material on the basis of Sub-paragraphs 2-5 in Article 6 or of Article 10, a position shall be taken on whether access should be granted to a greater degree than that required, cf. the first paragraph of this article.

Article 12

Cessation of limitations to the right to information

If no other limitations apply according to this Act, access shall be granted to the following:

1. material covered by Sub-paragraphs 1-3 and 5 of Article 6, once eight years have passed since this material came into being,
2. material covered by Sub-paragraph 5 of Article 10, as soon as the arrangements or examinations are completely finished,
3. material covered by Sub-paragraph 6 of Article 10, when there is no longer any reason to expect that communicating the information might have a damaging effect on the environment.

Once 30 years have passed since material came into being, the cessation of other limitations shall be subject to the provisions of the Act on [Public Archives], ¹⁾ cf. the fourth paragraph of Article 4.

¹⁾ Act No. 72/2019

Article 13

Providing information at the government's own initiative

Government authorities shall regularly provide the public with information on government activities, for instance by publishing reports electronically, summarising important programmes or publishing other types of material.

Government authorities shall act systematically towards making case files and lists of case materials as well as the materials themselves electronically accessible. The same applies to databases and data files. [The government ministries under the Prime Ministry shall publish

information from their registers of cases by digital means. As a minimum, a register of cases under procedure at the ministry on the occasion of received or sent issues shall be published, stating the case number and title of the case. The information should be published not later than in the following month after a case has been established. Additionally, publishing a list of case data is permissible, as well as making the data accessible by digital means. Efforts shall be made in any instance to see to it that the publication of data does not oppose personal or public interests.] ¹⁾

The minister shall submit regular reports to the Althing on the implementation of this Act, including achievements related to augmenting public access to information. The minister shall also take the initiative in determining information policy for five-year periods, prepared in consultation with the public, the Union of Icelandic Journalists, the Association of Local Authorities, archivists at public archives and the university and scientific community. One of the aims shall be to fulfil the needs of a democratic society for sophisticated, reliable information.

By means of regulations, the minister shall provide further details on how the publication of information must be arranged pursuant to the first and second paragraphs, including details on the allowable phases and time limits for government authorities to fulfil particular objectives and also details on how and where information must be published. In addition, these regulations shall explain how government authorities must act in order to ensure comparable access to material which came into being before the commencement of this Act. Insofar as possible, the public is to be guaranteed equal access to published information, and publication among government authorities is to be standardised. Rules shall also be laid down by the minister to ensure insofar as possible that the publishing of information will benefit disabled persons to the same extent as others. The minister's regulations according to this paragraph shall be binding also for local authorities and their institutions.

¹⁾ Act No. 72/2019

[Article 13a

Advisor on the information right of the general public

An advisor shall work under the auspices of the authorities on the information right of the general public and whose role is to facilitate improved submission of information by the authorities.

He shall carry out his role, among other things, by:

1. advising individuals, organizations, the news media, legal persons and others who turn to him requesting access to data, where the request should be made and regarding other factors, cf. Chapter IV,
2. act in an advisory capacity towards the authorities and other parties, cf. Chapter 1 regarding the handling of requests for access to data and by entering into decisions on the right of a requesting party to such access,
3. monitors how public parties carry out their obligations to provide the general public with access to information, either according to requests or at own initiative, cf. Article 13, and to disclose proposals on improvements as appropriate,

4. monitors research and development in the field of the general public's right to information and submits information to the authorities.

The advisor on the right to information by the general public shall possess education and knowledge that is professionally useful. The Prime Ministry provides the advisor on the information by the general public with work facilities, however, in his/her advise he/she is independent from instructions by the minister and others.

Those falling under the auspices of the Act's sphere, cf. Chapter I, irrespective of the duty of confidentiality, are obliged to provide the advisor on the right to information by the general public with access to data in confidentiality he/she deems as necessary in order to be able to carry out his/her role, cf. paras 1 and 2. The advisor on the right to information by the general public is not authorized to disclose issues he/she may learn in his/her work and which should be confidential. The duty of confidentiality also remains in effect upon the end of employment.] ¹⁾

¹⁾ Act No. 72/2019

CHAPTER III

Each party's access to information on itself

Article 14

Each party's right to information

Any party so requesting must be provided with personal access to available material if it contains information about this party.

Nonetheless, the provision of the first paragraph shall not apply to the following:

1. material listed in Article 6,
2. material containing information about substantial public interests which ought to remain secret according to Article 10.

If the material also contains information on the private affairs of other individuals, it is permissible to restrict a party's access to it, providing that the interests which call for keeping the information secret are more important than those of the party requesting access to the material.

A patient's access to medical records shall be subject to provisions of the Health Records Act.

Insofar as applicable, the provisions of Articles 5, 11 and 12 shall pertain to the party's access to material.

CHAPTER IV

Procedures

Article 15

Delimitation of requests for access to information

The party requesting access to material must specify it or the contents of the matter it relates to with enough clarity to allow for delimiting the request, without significant effort, to specific material or a specific matter.

It may be required to state the request on a form which is provided.

The request may be dismissed, if delimiting it to specific material or a specific matter is considered impossible, based on the available information. Before such dismissal, however, the party to the matter must be provided with guidance and the opportunity to delimit the request more precisely. Depending on the circumstances, ... ¹⁾ the party should be provided with a list of the matters towards which its request is felt perhaps to be directed, in order for the party to be able to indicate the matter for which it wishes to have access to material.

In exceptional cases, a request may be refused, should any of the following apply:

1. handling the request would take so much time or demand so much work that fulfilling it is considered insurmountable for these reasons,
2. there are strong indications of the request being presented for an illegitimate purpose.

1) Act No. 72/2019

Article 16

Where to address requests

When access is requested to the material of a case in which an administrative decision is to be taken or has been taken, the request shall be addressed to the party which has taken or will be taking a decision in the case. In other instances, the request shall be addressed to the party safeguarding the material.

Requests for material covered by Article 7 shall be addressed exclusively to the employer involved.

In instances where material covered by this Act has been turned over to the National Archives or another public archive, the archive involved is competent to decide on access to the material and on whether a photocopy or replication of the material is to be provided, based on this Act or the Act on [Public Archives], ¹⁾ depending on the age of the material.

1) Act No. 72/2019

Article 17

Speed of process

A decision on whether to comply with a request for access to material shall be taken as soon as possible. Should a request not be handled within seven days of when it was received, the requester must be informed about the reasons for this delay and about the expected time of decision. However, the deadline for handling a request falling under Article 33 shall be 20 days.

Before deciding on access to material which might concern private interests, the government authority, or the individual handling the request, may appeal to the person whom the information concerns to clarify whether that person thinks that the information should remain secret. A deadline of seven days shall be provided for answering such an appeal.

[If a request for access to information has not been addressed within 30 regular weekdays from such time it was received, the party making the request may refer the matter to The Appeals Committee on data issues which will enter into a ruling about his/her right to access.] ¹⁾

1) Act No. 72/2019

Article 18

Handing over material and charging fees

Insofar as possible, the access provided to material shall be in the form or format as well as the language in which it has been preserved, unless this material is already available to the public, cf. the second paragraph of Article 19. In instances where the material has been preserved in electronic form only, the party may choose between receiving it in that form or printed on paper.

In instances of numerous documents, other entities may be asked to see to photocopying them. The same applies if the person handing over the material has no facilities for photocopying documents. In such cases, the requester shall pay the cost entailed in photocopying the documents. The same applies to copying material other than documents, depending on the circumstances.

Through a list of fees, the minister shall determine what must be paid for photocopies and other copies of material which are handed over according to this Act, so that the expenses incurred will be met, including the costs of material and expenses due to equipment and staff work.

Prepayment may be demanded if the cost of copying or photocopying can be foreseen to exceed ISK 10,000.

Article 19

Rationale, announcement and instructions

If a request for access to material was presented in writing, any decision to refuse this request, whether in part or in whole, must be communicated in writing, briefly outlining the reasons. The decision shall include the opinion of the government authority on additional access, as referred to in the second paragraph of Article 11, and instructions on the right of appeal, as provided for in Article 20.

In instances where a request for access to material is handled by noting that the requested information is already available to the public, and if the material requested is not being handed over, exact mention must be made of where and in what manner the information is available.

When access is granted to material to which a third person has a legally protected right, pursuant to the Copyright Act, information shall be provided on the name of the rights holder, if such information is available.

In other respects, procedure shall be governed by the Administrative Procedures Act.

CHAPTER V

The Information Committee

Article 20

Right of appeal

Refusal of a request for access to material according to this Act may be referred to an Information Committee, which shall rule on the dispute. The same applies to refusal ... ¹⁾ of a request to turn over material in the form that was requested.

Decisions according to the third paragraph of Article 2 or according to Article 33 shall not be subject to review by the Committee.

This Committee shall operate independently, and its rulings according to this Act may not be referred to any other government authority.

¹⁾ Act No. 72/2019

Article 21

The Information Committee

The minister shall appoint to the Information Committee three persons for terms of four years, and an equal number of substitutes. Two Committee members, along with their substitutes, shall meet the employment qualifications for District Court judges, according to Article [29] ¹⁾ of the Act on the Judiciary. One of these two members shall serve as Committee Chair and the other as Vice-Chair. No member of the Committee may be permanently employed by the Government Offices of Iceland.

The Committee is authorised to call on experts for advice and assistance whenever it finds this necessary.

[The members of the committee are bound by confidentiality, cf. Chapter X of the Administrative Procedures Act. The same applies to those the committee may call in for assistance.] ²⁾

¹⁾ Act No. 117/2016 ²⁾ Act No. 71/2019

Article 22

Procedures

Cases falling under the first paragraph of Article 20 shall be referred in writing to the Information Committee no later than 30 days after a decision was announced to the party requesting access to material.

Before finally resolving the case, the Committee may grant the entity against whom the appeal is directed a brief period in which to present a substantiated opinion on the case. The entity against whom the appeal is directed is obligated to provide the Committee with a copy of the material to which the appeal is related, insofar as this entity falls under the scope of this Act according to Chapter I. In its letter requesting a copy of the material according to this paragraph, the Committee may dictate that any material turned over to it in confidentiality must be particularly identified.

Should the Committee members not agree on the case, the majority shall determine its outcome. In the event of a tie, the Chair has the casting vote.

Proceedings of the Information Committee shall in other respects comply with Chapter VII of the Administrative Procedures Act.

Article 23

Notification and enforceability of rulings

[The Appeals Committee shall disclose the ruling to the party requesting access to data and to the party against whom the appeal is aimed as soon as possible, however, generally within 150 days from its receipt.] ¹⁾

If the Committee has accepted the request for access to the material, such access must be provided as soon as the ruling has been announced, unless a deferment of legal effect has been demanded, pursuant to Article 24.

The rulings according to this Act which concern accessing material or copies of it are enforceable, unless their legal effect has been deferred.

¹⁾ Act No. 72/2019

Article 24

Deferment of the legal effect of rulings

In cases where the Information Committee has assigned a government authority or other entity to provide access to material, the Committee may also decide, upon the demand of the entity involved, to defer the legal effect of its ruling if it considers there to be a particular reason for doing so. A demand to this effect must have been received by the Information Committee no later than seven days after the ruling was announced.

Any deferment of a ruling's legal effect shall be subject to the condition that the case be referred to the courts, together with a request that it receive priority treatment, within seven days of when the decision to defer legal effect was announced. Should the request for priority treatment be denied, proceedings shall nevertheless be initiated no later than seven days after the denial.

Article 25

Publication of rulings

The Information Committee shall publish its rulings, or summaries thereof, at least once a year. Publishing the rulings on an openly accessible website shall be considered adequate publication.

CHAPTER VI

Records of cases, etc.

Article 26

Records of cases

Records, document lists and other means of storing case material or information are subject to provisions of the Act on [Public Archives]. ¹⁾

¹⁾ Act No. 72/2019

Article 27

Recording information on the circumstances and proceedings of cases

When processing a case involving any decision on the rights or obligations of a person, government authorities as well as other entities covered by this Act are required to record any information which is given orally on the circumstances of the case or which these entities gain knowledge of in some other manner, if the information is of consequence for resolving the case and is not found anywhere else in the case material. The same applies to the main decisions on case proceedings and the main reasons for decisions, provided they do not appear in other case material.

[The authorities shall ensure in other respects to safeguard important information, among other things, regarding interaction with the general public and other authorities, for example, through the writing of minutes or memorandums.] ¹⁾ [The same applies to other parties, cf. Chapter I to the extent this Act applies to their work.] ²⁾

¹⁾ Act No. 82/2015 ²⁾ Act No. 72/2019

[CHAPTER VII

Access to information about environmental issues

Article 28

Objectives

The objectives of this chapter are as follows:

1. ensure access by the general public to information about environmental issues under the control of public parties or stored on their behalf,
2. strengthen people's right to live in healthy conditions and safeguarding their quality of life on grounds of information,
3. facilitate increased awareness on issues pertaining to environmental issues, free exchange of opinion and increased participation by the general public in entering into decisions on environmental issues,
4. ensure the right of the general public to receive information about environmental issues,
5. stipulate the initiative obligations by public parties in providing information about environmental issues.

Article 29

Definition of information about environmental issues

Information about environmental issues refers to any kind of information in written, visual, audible, digital, or any material format, about:

1. defined environmental factors, for example, the climate and the atmosphere, water, soil, land, landscape and natural relics, including wetlands, coastal and oceanic areas, biological diversity and factors therein, including genetically modified organisms, and the interaction between these factors,
2. factors including materials, power, radiation or waste, including radioactive waste and the discharge of any kind of materials and factors into the environment that may affect, or are likely to affect, the factors in the environment as referred to in item 1,
3. measures in connection with policy formulation, legislation, planning and developmental plans and agreements in environmental fields that have, or are likely to affect the factors as stated in items 1 and 2, plus diagnosis of costs and benefits, or

other kind of feasibility studies as used in connection with decisions on such measures,

4. the situation pertaining to human health and safety, including pollution of the food chain, people's living conditions and structures to such an extent that they will be, or are likely to be, subject to impact because of the condition of the environmental factors as stated in item 1, or because of the factors stated in item 2.

Article 30

Right to information by the general public about environmental issues

The right by the general public to access existing data on environmental issues is addressed according to the provisions of Chapters 1-V, cf. however, Article 31.

Article 31

Information about polluting discharges into the environment

Notwithstanding the provisions of Articles 6-10, and the special provisions of law on the duty of confidentiality, the general public has the right to access information about polluting discharges into the environment.

Article 32

General disclosure of information about environmental issues

The authorities shall work towards information about environmental issues being accessible by the general public, cf. Article 13. The minister is authorized to implement further provisions in a regulation on the disclosure of such information.

The authorities are always obliged to initiate disclosure of information if there is reason to assume that deviations because of pollutants in the environment may cause hazardous or damaging effects on the environment or the health of humans or animals. The minister is authorized to further define in a regulation what is deemed as being damaging or hazardous deviations.] ¹⁾

¹⁾ Act No. 72/2019

CHAPTER VIII

Access to material for research purposes

Article 33

Access to material for research purposes

A government authority, cf. the first paragraph of Article 2, is authorised in cases of research or similar undertakings to provide access to material which is exempted by Chapters II and III from the right to information, insofar as approving the particular request may be expected not to curtail the public and private interests which the provisions of these Chapters are intended to protect. Such a request must clarify the purpose for which access is desired. The permit for access according to this Article must be in writing.

If a government authority's material includes sensitive personal information, as this is defined in the Act on the Protection of Privacy as Regards the Processing of Personal Data, or if communicating the material entails a special risk that the rights and liberties of incorporated bodies may be violated, the government authority shall obtain approval from the Data Protection Authority before divulging the information. The Data Protection Authority shall establish more detailed rules about the requirement for a permit, and may decide to drop the requirement to obtain a permit once general rules and security standards have been established to accompany any such communication of information.

The government authority may place conditions on access according to the first paragraph. These conditions must be based on considerations of the nature of the information to which access is to be granted and on the underlying purpose of the application for access. The government authority may set as conditions that:

1. no information on private matters, including financial matters, will be communicated any further,
2. the individuals mentioned in a particular document, as well as their blood relatives and relatives by marriage, will not be contacted,
3. a particular document will not be published in its entirety,
4. no copies will be made of a particular document,
5. information to which access is granted will not be published in the research conclusions in a manner whereby persons could be identified.

In special circumstances, other conditions may be laid down than those stated in the third paragraph.

Article 34

Penalties and compensation

A party obtaining access to material according to Article 33 may neither publish, hand over nor use the information it has thus obtained access to in any other manner than that dictated in the permit from the government authority.

If a party which has received access to material according to Article 33 violates the provision of the first paragraph by intent or gross negligence, it shall be subject to a fine or imprisonment for up to three years.

Should a party, according to the first paragraph, have committed a violation by intent or gross negligence, it may be sentenced to pay compensation for harm and financial losses to any party whom the information concerns.

[Article 35

The provisions of Chapter VII are implemented for the adoption of the European Parliament's Directive 2003/4/EB, dated 28 January 2003 on access by the general public to information about environmental issues and the cancellation of the Council's Directive 90/313/EEB, which was included in the EEA Agreement through the decision by the EEA Joint Committee number 123/2003. 26 September 2003.] ¹⁾

¹⁾ Act No. 72/2019

CHAPTER IX

Entry into force, etc.

[Article 36] ¹⁾

Entry into force

This Act shall enter into force immediately. Nonetheless, the provisions of the second and third paragraphs of Article 2 shall not be implemented until six months after this Act has entered into force. Upon the entry into force of the present Act, the Information Act, No. 50/1996, as subsequently amended, shall be repealed.

The provisions of this Act apply to all material and information covered by it, regardless of when the material or information came into being or of when it reached a party to which information must be provided according to this Act.

Notwithstanding the second paragraph, the provisions of this Act apply only to the material or information kept by legal entities in the sense of the second paragraph of Article 2 and of Article 3 which comes into being after this Act has taken effect. On the other hand, this does not apply when the appropriate entity has been entrusted with taking administrative decisions. The provision in Sub-paragraph 1 of the first paragraph of Article 12 applies only to the material which comes into being after this Act has entered into force.

Notwithstanding the provisions of the first paragraph, the provisions of the Information Act, No. 50/1996, shall upon the commencement of the present Act retain their effect until 1 January 2016 as regards municipalities numbering fewer than 1,000 residents.

¹⁾ Act No. 72/2019