

# **THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY BRAZIL**

## **ARTICLE 10 UNCAC**

### **PUBLIC REPORTING**

#### **BRAZIL (SIXTH MEETING)**

In matters of publicity of the governmental acts, apart from the above mentioned instruments, such as the Transparency Portal, it is worth noting the entry into force of the Access to Information Law, on May 2012.

The Law institutes as a fundamental principle that the access to public information becomes the rule, being secrecy an exception. According to the Law, every information produced or under custody of public agencies and entities is potentially public, unless it is subject to restrictions legally defined. In order to operationalize the right to information, the Law guarantees to the society the access to public information in two different ways:

- 1) Passive transparency: when specific information is provided under request;
- 2) Active transparency: when information regarding collective and general interest is proactively published.

The Access to Information Law was regulated on the Federal Executive branch by the Decree n. 7,724/12, where information regarding data that should be made publicly available as active transparency, as well as procedures for dealing with passive transparency demands can be found. Both the Law and the Decree establish that every agency and entity must have their own infrastructure in order to receive and answer information requests. To that end, every agency and entity must institute the Service of Information to the Citizen – SIC.

Aiming at facilitating the access to public information, the Office of the Comptroller General developed the Electronic System of the Service of Information to the Citizen (e-SIC). The system is the main channel, within the Executive branch, for the registration of information requests and answers. It enables the citizens to request for information and track the deadline for answer and appeal against a denial of access. The system also allows the access to reports regarding its statistics. Since the launch of the system, more than 270 thousand requests have been registered, 99% of which were answered.