

**PUBLIC PERCEPTION ON FREEDOM OF INFORMATION: THE LEVEL OF  
READINESS IN IMPLEMENTING THE FREEDOM OF INFORMATION IN MALAYSIA**

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**KELULUSAN PERMOHONAN PELANJUTAN TEMPOH PENYELIDIKAN KALI PERTAMA**

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2. Institut Pengurusan Penyelidikan (RMI) telah menerima dan **meluluskan** permohonan pelanjutan tempoh penyelidikan kali pertama daripada puan mulai **16 Jun 2010** sehingga **15 Oktober 2010 selama empat (4) bulan sahaja**.

3. Sehubungan itu, RMI berharap dengan pelanjutan tempoh penyelidikan ini dapat membantu puan dalam menghasilkan projek penyelidikan yang lebih baik dan lancar mengikut garis panduan yang telah ditetapkan dalam surat kelulusan RMI sebelum ini.

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**"SELAMAT MENJALANKAN PENYELIDIKAN DENGAN JAYANYA"**

Yang benar



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## ABSTRACT

Governments, organizations and individuals are all responsible to make decisions. Sound decision requires accurate and dependable information. As a democratic country it is important to promote open and transparent government. These are fundamentals in controlling corruption, promoting good governance and public accountability. Article 19 of the Universal Declaration of Human Rights defines the right to access information held by government bodies to seek, receive and impart information. Freedom of information is a right given to the public to demand information from the government bodies to local authorities concerning the public interest. Freedom of information has been seen as capable of advancing a number of desirable objectives in any society. This right is a fundamental human right and a key tool in controlling corruption, promoting the concept of open and transparent government and central to democratic accountability. It has been described as the “oxygen of democracy” that is necessary for a free two-way flow of information. This can develop and assist citizen trust in government actions and maintaining a civil and democratic society. Healthy policy development and quality decision making will also be generated. Besides that, by facilitating the acquisition of knowledge and information, it encourages self-fulfillment and promotes informed society. The development in Malaysia shows more and more concerned groups and individuals are calling for the freedom of information. The Centre of Independent Journalism Malaysia reports that fifty-nine civil society groups are calling the Selangor State of Government to set up task force to review existing practices and the draft law for the state level (<http://www.cijmalaysia.org/content/view>, retrieved on the 2/26/2009). This study investigates on the level of awareness among the citizen and government officials on freedom of information.

# **CHAPTER 1**

## **INTRODUCTION**

### **1.1 Introduction**

Freedom of Information is on the principle where public will have the right to access official information hold by the government bodies. Some countries describe such principle as 'access to information' or 'disclosure of information'. It is about a right given to citizens to get information and the government bodies are under a duty to provide the information requested. In some countries, the right to freedom of information is guaranteed by law to make it effective. The right has been well accepted and practiced with over 60 countries having adopted the access to information laws and many more in the process of doing so.

The government bodies have the responsibility to make available and release certain information to the public upon specific requests. The publics may either request to have access to the information or get copies of documents. However not all information can be disclosed to the public. Some of the information may fall under the exemption provisions that it can not be disclosed to the public for security reason, defense and military matters, international relations, financial and economic policy. There may be cases where any request is refused for disclosure or the applicant for information is not satisfied with the response by the government bodies, the applicant may apply to court for judicial review. The government bodies have to convince the court that the documents are exempted under the law.

Malaysia does not have the law on freedom of information. A number of non-governmental organizations (NGOs), politicians and individual have drawn attention to the need for introducing the FOI law in Malaysia. To have the FOI law introduced may not be a problem but the implementation of the law needs to be taken into great consideration. The FOI law should not be used as a tool or abused by NGO, politicians or any individual for their political mileage or personal benefit. The citizens must also appreciate the fact that the government has legitimate reasons in withholding information under the exemption provisions. The public should be made aware of the