

UNIVERSITI TEKNOLOGI MARA

**FREEDOM OF INFORMATION IN
MALAYSIA: THE SHADE OF
SECRECY**

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ABSTRACT

The notion of freedom of information (FOI) as a universally desired human right is not new. International and regional human rights instruments have recognised the right and many countries all around the globe have FOI laws at the national level. However, after more than half of century of its independence, Malaysia has no specific federal legislation on FOI. Lately, a mounting demand has been made for more openness and transparency in the government sector. This study therefore intends to provide a foundation for FOI law in Malaysia by analysing the approach taken in the United Kingdom and other selected jurisdictions and their compatibility with the existing Malaysian legal framework. Doctrinal and comparative approaches are used in this research. Legal hurdles faced by FOI in Malaysia were studied and suggestions to improve the legal system to facilitate the incorporation of FOI in Malaysia were also provided. Among others, this study suggests that the constitutional provisions, laws regulating access to information and official secrecy and other laws which restrict access to government information should be amended to bring them in line with the notion of FOI. Apart from that, the practical implementation of the law also requires establishment of institution to manage information request and appeal procedures. It is hoped that the findings of this research can contribute to the improvement of right to access information in Malaysia.

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