



THE RIGHT TO INFORMATION COMMISSION
ACCRA
29TH JANUARY 2026

AFR NO: RTIC/AFR/72/2025

DANIEL YEBOAH
POST OFFICE BOX 3
KWAHU ABETIFI

APPLICANT

AND

THE HEADMISTRESS
WBM ZION SHS
P.O. BOX 14
OLD – TAFO, AKIM

RESPONDENT

**DETERMINATION BY THE RIGHT TO INFORMATION COMMISSION IN RESPECT
OF AN APPLICATION FOR REVIEW FILED BY DANIEL YEBOAH AGAINST THE
REFUSAL BY WBM ZION SHS TO RELEASE INFORMATION**

FACTS

On 23rd September, 2025, Mr. Daniel Yeboah (“the Applicant”) submitted a request for information to the Headmistress of WBM Zion SHS (“the Respondent”).

The information sought by the Applicant is outlined hereunder:

- a. *List of students who paid for the practical exam fee with the amount attached to their names.*
- b. *Amount being used to paint the school blocks.*



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c. List of parents and students who paid for admission and the amount they paid attached to their names.

Following the submission of the request, the Applicant received no response from the Respondent within the statutory period allowed under the Right to Information Act, 2019 (Act 989). Consequently, the Applicant petitioned the Right to Information Commission (hereinafter referred to as “the Commission”) on 20th October, 2025 seeking a review of the Respondent’s refusal to grant access to the information requested. Additionally, by a letter dated 26th November 2025, the Applicant provided the Commission with justifications for the requested information.

Upon receipt of the petition, the Commission wrote to the Respondent by a letter dated 10th November, 2025 referenced RTIC/RF/VOL.7/0665 asking the Respondent to furnish the Commission with reasons for the refusal to disclose the requested information and provide the information to the Commission for purposes of review within seven (7) days of receipt of the letter. As at the date of this determination, the Respondent has failed, neglected, and/or refused to respond to the Commission’s letter.

LEGAL ANALYSIS

Under Act 989, a public institution is required to determine an application for information within fourteen days, whether to grant or refuse the request. Failure to respond to the request within the statutory period constitutes an automatic refusal of access pursuant to **section 23(5) of Act 989**. This section states that:

“Where an information officer fails to determine an application within fourteen days after the application is received by the public institution, the application is deemed to have been refused and the applicant has the right to seek redress under sections 31 to 39.”



Furthermore, under **section 27(1) of Act 989**, the only grounds upon which a public institution may lawfully refuse an application for access to information are:

- Where the request is manifestly frivolous or vexatious, and/or
- Where the information requested is exempt from disclosure under sections 5 to 16 of Act 989

Upon a review of the information requested, the Commission finds that none of it is exempt from disclosure under section 5 to 16 of Act 989. Additionally, the application cannot be considered frivolous or vexatious; the request is meritorious as it seeks to exact accountability.

In conclusion, the Respondent's failure to provide the requested information to the Applicant constitutes a breach of the statutory duty imposed on it. Furthermore, the Respondent had a duty to assist the Commission in its complaint resolution mandate pursuant to **section 70 of Act 989**, which it failed to discharge.

FINAL ORDERS

Based on the above findings and in accordance with **section 43(2)(c) of Act 989** which states that **"The Commission shall have the power to make any determination as the Commission considers just and equitable including issuing recommendations or penalties in matters before the Commission"**, the Commission hereby issues the following binding orders:

1. Administrative Penalty:

Due to the Respondent's failure to respond to the Applicant's request and the Commission's correspondence, an administrative penalty of Ten Thousand Ghana Cedis (GH¢10,000) is imposed on WBM Zion SHS.

- This amount shall be paid to the Commission within seven (7) days from the date of receipt of this decision.
- A default penalty of 10% on the principal penalty sum shall apply for each additional seven (7) day period of non-compliance thereafter.



2. Mandatory release of Information:

The Respondent is hereby directed to release the following information to the Applicant within seven (7) days of receipt of this decision:

- a. *List of students who paid for the practical exam fee with the amount attached to their names.*
- b. *Amount being used to paint the school blocks.*
- c. *List of parents and students who paid for admission and the amount they paid attached to their names.*

3. Applicable Charges for Information:

Pursuant to the **Fees and Charges (Miscellaneous Provisions) Act, 2022 (Act 1080)**:

- A charge of GH¢0.27 per page shall apply if the information is to be provided in hard copy.
- A charge of GH¢0.29 per page shall apply if the information is to be provided in PDF or digital format.


GENEVIEVE SHIRLEY LARTEY, ESQ
EXECUTIVE SECRETARY

