

## 2022 ICO ANNUAL RETURN

In accordance with sections 7, 8 and 58(3) of the Public Access to Information Act 2010 (the Act), the Information Commissioner's Office (ICO) requires the following from all public authorities:

- 1 Annual PATI Statistics (section 58(3) of the Act)
- 2 Confirmation of the requirements for the Information Statement (section 5 of the Act)  
**PLEASE NOTE:** Under section 7(2) of the Act, the Commissioner has the power to issue an order requiring a public authority to produce an Information Statement.
- 3 Confirmation of the requirements for the Provision of Other Information publication (section 6 of the Act)  
**PLEASE NOTE:** Under section 8(2) of the Act, the Commissioner has the power to issue an order requiring a public authority to comply with section 6 of the Act.
- 4 Voluntarily publication of additional information (section 10 of the Act)  
Public authorities are invited to share any initiatives they have taken to voluntarily publish additional information of interest to the public.  
**PLEASE NOTE:** The Information Commissioner may publish these in her 2022 Annual Report or other ICO publications.

**PLEASE NOTE:** The Information Commissioner may publish public authorities' completed 2022 ICO Annual Return.

The ICO has published [Guidance: ICO Annual Return \(Part 2 and section 58\(3\)\)](#) to assist public authorities as they complete the Annual Return.

The Cabinet Office has published the [PATI Administrative Code of Practice for Public Authorities](#). Section C of the PATI Practice Code provides additional guidance for publication requirements and is available at gov.bm.

The ICO now has a dedicated webpage on [ico.bm](#) for Annual Return related information.

**Due date for 2022 ICO Annual Return: Friday, 30 December 2022, with a grace period extended to Friday, 13 January 2023. Submit the completed Annual Return to the ICO at [stats@ico.bm](mailto:stats@ico.bm).**

## INSTRUCTIONS

### Tab A - s. 58(3) Annual PATI Statistics

Section 58(3) of the Act requires every public authority to provide the Information Commissioner with a written report of its PATI requests and their dispositions before the end of each calendar year.

Complete each of rows 2, 4, 5 and 7-12 by typing in the information required or clicking on the cell and choosing 'Yes' or 'No' from the drop-down menu.

**PLEASE NOTE:** Once you type your public authority's name on tab A in row 2, it will copy to the other tabs.

If your public authority answered 'No' in row 4, complete rows 7-13, then proceed to **Tab B - s. 5 Information Statement**.

If your public authority answered 'Yes' in row 4, complete rows 5 and 7-13, then proceed to row 18 and complete a response for each PATI request received by your public authority.

All public authorities must complete row 13. Signatures can be by hand, digital or jpg.

### Tab B - s. 5 Information Statement

Section 5 of the Act requires every public authority to prepare an Information Statement. As required by section 5(2) of the Act, your public authority is required to review and update its Information Statement at least once a year. The ICO has prepared a checklist in **Tab B - s. 5 Information Statement** to assist public authorities with assessing whether they have met the section 5 criteria and to facilitate reporting to the Information Commissioner.

Complete each of rows 5-16 and 18-22 by answering 'Yes' or 'No' in column F. If appropriate, provide any additional explanations in the 'Comments' column.

Tab B can also be used by your public authority as a quick tool to check if the content in its Information Statement is accurate and current.

### Tab C - s. 6 Provision of Other Information

Section 6 of the Act requires every public authority to provide information to the public at regular intervals through various means of communication. This is to minimise the public's need to file a PATI request to obtain public information. Specifically, section 6 of the Act requires all public authorities to:

- (1) have available its PATI request log;
- (2) have available its quarterly expenditures; and
- (3) gazette the details of contracts with a total value of \$50,000 or more.

Use **Tab C - s. 6 Other Information** to assess whether your public authority has met the requirements of section 6 of the Act and to facilitate reporting to the Information Commissioner.

Complete the three questions by answering 'Yes' or 'No' for rows 4, 5 and 7.

If your public authority's answer to Question 3 is '**Yes**' in row 7, choose Option 1 (in row 10), Option 2 (in row 11) or Option 3 (in row 12). Once you have completed this response, rows 14-16 must be completed.

If your public authority's answer to Question 3 is '**No**' in row 7, provide your response in row 8. Once you have completed this response, rows 14-16 must be completed.

**PLEASE NOTE:** The Accounting Officer, Chief Financial Officer or Treasurer for your public authority, must complete rows 14-16, confirming the status of contract gazette notices. If your public authority does not have one of these positions, only the confirmation and signature on Tab A is required.

### Tab D - s. 10 Voluntary Publication of Public Information

To encourage and foster voluntary publication of additional information, the ICO invites your public authority to share any efforts that it has implemented to make its information more accessible to the public, e.g., publishing its meeting minutes or credit card statements on its website, and so on.

**PLEASE NOTE:** The Information Commissioner may publish these efforts in her 2022 Annual Report or other ICO publications.



**2022 ICO ANNUAL RETURN  
TAB B - s. 5 INFORMATION STATEMENT, AS AT 31 DECEMBER 2022**

**NAME OF PUBLIC AUTHORITY:** Office of the Privacy Commissioner

Please indicate if your public authority's Information Statement includes the following information. If it does not, indicate in the Comments when you anticipate satisfying the requirement and publishing a current Information Statement.

**Requirement Met**

**Comments**

**CONTENT OF INFORMATION STATEMENT**

<b>1</b>	Name of the public authority is provided.	YES	
<b>2</b>	Description of the structure and organisation is provided. [section 5(1)(a)] A legible organisational chart should be included or board/committee member listing is provided.	YES	
<b>3</b>	Governing and other relevant legislation is provided. [section 5(1)(a)]	YES	
<b>4</b>	Functions, powers, duties of the public authority are provided. [section 5(1)(b)]	YES	
<b>5</b>	Obligations under the PATI Act are listed. [section 5(1)(b)] <b>PLEASE NOTE:</b> The obligations under the PATI Act are the same for all public authorities.	YES	
<b>6</b>	Summary of services and ongoing programmes are provided. [section 5(1)(c)]	YES	
<b>7</b>	Description and sufficient detail of all records and documents held by the public authority is provided. [section 5(1)(d)]	YES	
<b>8</b>	Description of all administration manuals used by employees is provided. [section 5(1)(e)]	YES	
<b>9</b>	Description of decision-making documents, such as policy, rules and guidelines, are provided. [section 5(1)(f)]	YES	Ongoing development
<b>10</b>	Name of current Information Officer and their contact details are provided. [section 5(1)(g); section 62]	YES	
<b>11</b>	Description of any other information provided that the Head of the Public Authority considers relevant for the purpose of facilitating the public's access to information, is provided. [section 5(1)(h)]	YES	
<b>12</b>	Description of any other information that the public authority has chosen to make available to the public, is provided. [section 5(1)(i)]	NO	

**COPIES AND UPDATES**

<b>13</b>	The updated Information Statement is available for the public to inspect at the principle office of the public authority. [section 5(3)(a)]	YES	
<b>14</b>	The updated Information Statement has been given to the Bermuda National Library and the Bermuda Archives. [section 5(3)(b)]	YES	
<b>15</b>	The updated Information Statement is available on the public authority's website. [section 5(3)(c)] If requirement has been met, please provide webpage link to information statement.	YES	<a href="http://www.privacy.bm/files/ugd/f70f79_5bbe7e46936c4f769bd4d6433">www.privacy.bm/files/ugd/f70f79_5bbe7e46936c4f769bd4d6433</a>
<b>16</b>	Places where the Information Statement is available for inspection by the public have been published in the Official Gazette. [section 5(4)]	YES	
<b>17</b>	The updated Information Statement has been given to the Information Commissioner. [section 5(5)]	YES	

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**TAB C - s. 6 PROVISION OF OTHER INFORMATION, AS AT 31 DECEMBER 2022**

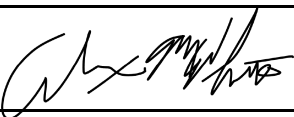
**NAME OF PUBLIC AUTHORITY:** Office of the Privacy Commissioner

Does your public authority have the following readily available at its principle office for the public to view?		Requirement Met
1	PATI Request Log [section 6(2)]	YES
2	Quarterly Expenditures [section 6(5)]	YES

**s. 6(6) GAZETTING OF CONTRACT DETAILS**

3	Has your public authority gazetted, in the Official Gazette, the required details of all contracts with a total value of \$50,000 or more? [section 6(6)]	YES
	If 'No' to question 3, please indicate the date by which all gazetting will be completed.	
	If 'Yes' to question 3, please choose one of the following options:	
	<i>OPTION 1:</i> Provide a scanned or print copy of the gazette notice with this return.	
	<i>OPTION 2:</i> Copy and paste the link to the online gazette notice. <b>PLEASE NOTE:</b> Online Official Gazette are available on gov.bm from 1 November 2018 to present.	<a href="https://www.gov.bm/theofficialgazette/notices?combine=GN0035/2021">https://www.gov.bm/theofficialgazette/notices?combine=GN0035/2021</a>
	<i>OPTION 3:</i> If gazetted prior to 1 November 2018, list the year and notice number of the gazette notice. (from April 2015 - 31 October 2018)	

**CONFIRMATION & SIGNATURE:**

<b>Name of Accounting Officer, Chief Financial Officer or Treasurer confirming the status of contract gazette notices:</b>	Alexander M White
<b>Signature of Accounting Officer, Chief Financial Officer or Treasurer:</b>	
<b>Date:</b>	14 Dec 2022

**2022 ICO ANNUAL RETURN  
TAB D - s. 10 VOLUNTARY PUBLICATION, AS AT 31 DECEMBER 2022**

**NAME OF PUBLIC AUTHORITY:** Office of the Privacy Commissioner

Does your public authority voluntarily publish information of relevance or interest to the general public in relation to the activities and functions of the public authority?	YES or NO
<p>Section 10 of the PATI Act states that the Information Commissioner shall foster and encourage public authorities' voluntary publication of information of relevance or interest to the general public in relation to the activities and functions of the authority.</p> <p>Please use the space below to inform the Commissioner of any voluntary publication or other efforts your public authority has undertaken to make your information more easily accessible to the public. This might include, for example, publishing meeting minutes, credit card statements, and so on.</p> <p><b>PLEASE NOTE:</b> The Information Commissioner may publish these efforts in her 2022 Annual Report.</p>	