

# **Rules of National Communications Commission for Information Provision and Archive Access**

Promulgated on the 17th day of April, 2007 on the letter of National Communications Commission, numbered 096005049120

1. The following rules have been established by the National Communications Commission (hereafter NCC) for receiving requests from individuals for provision of information and access to archives in accordance with Article 46 of the Administrative Procedure Act, Articles 17 through 21 of the Archives Act, Article 9 of the Freedom of Government Information Act and Article 49 of the Administrative Appeal Act.

2. An individual (hereafter Applicant) that applies for provision of information and access to archives shall submit a completed application form (Attachment 1) to NCC.

An application for access to information or archive according to, for example, Paragraph 1, Article 16 of the Administrative Procedure Act shall be limited only to a claim or maintenance of the Applicant's legal interests; documentation proving connection to legal interests shall be provided; the same applies to the stakeholder(s). Should the application be entrusted to an agent, a letter of appointment (Attachment 2) shall also be submitted with the application.

3. An application may be refused in any of the following circumstances stipulated in:

- (1) Paragraph 2, Article 46 of the Administrative Procedure Act;
- (2) Paragraphs of Article 18 of the Archives Act;
- (3) Paragraph 1, Article 18 of the Freedom of Government Information Act;
- (4) Paragraphs of Article 51 of the Administrative Appeal Act; or
- (5) Any applicable law or regulation that may reject the application.

4. Upon receipt of the application made by the Applicant for provision of information and access to archives of NCC, the secretariat shall and forward the document(s) to the relevant within NCC. The application shall be processed according to the procedures of approval of NCC.

The relevant department shall inform the Applicant of the results according to the nature of information or archives of the application to be provided or accessed in one of the following ways:

- (1) For information that has been made public online: the relevant department shall report the application according to procedures of approval and inform the Applicant orally or in writing of how to acquire the information by on the website of NCC rather than directly providing the information requested;
  - (2) For information that can be made public online but has not yet been made so: the relevant department shall report the application according to procedures of approval and inform the Applicant in writing.
5. While approving the application for information provision or archive access, NCC may provide a reproduction or replicate of the information or archive requested based on the media in which the information or archive is stored, or allow the Applicant to read, copy or record video of the information or archive requested, as appropriate.
  6. NCC shall develop a separate charging standard for the application for information provision or archive access submitted by the Applicant to NCC.

## Application for Provision of Government Information and Archive Access to the National Communications Commission

Applicant	Name (juristic person or group)	(signature or stamp)			<input type="checkbox"/> Applicant <input type="checkbox"/> Stakeholder	
	ID number (or registration number, nationality and passport number.)		Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	Date of birth	
	Home or mail address (or address of business / office)					
	Tel.					
Agent	(Please provide the letter of appointment)					
Contents of information requested and case number						
No. of pieces requested						
Purpose of request						
Explanation of legal interests regarding this request						
Date:						

## Notes (the Applicant shall sign and date this document after reading):

1. If the Applicant is a legal person, group or non-national, the name and the person in charge or management shall be provided in the name field;

The registration number or passport number shall be provided in the ID number field; the address of office or business shall be provided in the address field.

2. The Applicant agrees to request for access to government information and archives according to the “Rules of National Communications Commission for Information Provision and Archive Access,” and understands the contents of these rules and guarantees to observe the requirements of the rules. In the case of any violation, the Applicant agrees to be subject the Rules and liabilities.

3. The access to government information or archive shall be given in principle of 2 hours per request; an extension of an hour may be granted provided that the extension is justifiable.

4. The Applicant is allowed access to the reading room under the guidance and supervision of the person in charge of the room, and agrees to observe the following:

- (1) No government information or archive shall be taken out of the reading room;
- (2) Adding notation, altering, replacing, changing, encircling or highlighting any text, or damaging in any way, removing or making any other marks on the government information or archive shall be forbidden;
- (3) The government information or archive shall not be separated and reassembled, and shall be returned in the form as it was provided;
- (4) The government information or archive shall not be photocopied, videoed without approval;
- (5) Loud noises or displaying any behavior that disturbs public order shall be forbidden;
- (6) The file processing space of NCC shall not be made available for access;
- (7) Appropriate care is advised for using devices and equipment provided for convenience in the reading room. The user of device / equipment shall be responsible for repair and any possible compensation for malfunction or damage to the device / equipment due to inappropriate use.

5. Immediate correction shall required if the Applicant violates any of the requirements above and shall warned or intervened by NCC personnel; failure to conduct correct behavior may result in immediate termination of access by NCC; any major violation that involves criminal behavior shall be transferred to Prosecutors Office for investigation.

Applicant (signature):

Date:

**Letter of Appointment for an Individual's Application for  
Provision of Government Information and Archive Access to the  
National Communications Commission**

Name		Gender	Date of birth	ID no.	Home, office or business address
Agent					

I, \_\_\_\_\_ the applicant, request for access to archive and hereby authorize \_\_\_\_\_ as my agent for the access.

This letter is to:

National Communications Commission

Applicant (seal)

Agent (seal)

Date: