



**CAPITAL MARKETS AUTHORITY
KENYA**

ACCESS TO INFORMATION POLICY

Pursuant to the Access to Information Act (Cap. 7M) and the Access to Information (General) Regulations, 2023

Status	Final
Effective Date	22 June 2026
Review Date	After three years.
Document Owner	Information Access Officer (CEO / Designate)
Approved By	Chief Executive Officer

June 2026

FOREWORD.

The Capital Markets Authority (CMA) is a statutory body established under the Capital Markets Act (Cap. 485A) of the Laws of Kenya. CMA is mandated to regulate, license and supervise the capital markets in Kenya, with the aim of promoting investor protection, market integrity, and the development of an orderly, fair, and efficient capital markets sector.

The Access to Information Act (Cap. 7M), operationalized through the Access to Information (General) Regulations, 2023 (Legal Notice 161 of 2023), gives effect to Article 35 of the Constitution of Kenya, which guarantees every citizen the right to access information held by the State and by persons, where such information is required for the exercise or protection of any right or fundamental freedom.

As a public entity, the CMA is committed to upholding the principles of transparency, accountability and public participation that underpin Kenya's constitutional framework. This Policy sets out the internal framework, procedures and responsibilities that govern how CMA discloses information proactively, responds to information access requests, manages its records, and handles complaints and reviews.

All CMA staff, officers and agents are required to familiarize themselves with this Policy and to implement it faithfully in all dealings relating to information access. Compliance with this Policy is not optional it is a legal obligation enforceable under the Act and Regulations.

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1. GENERAL PROVISIONS

1.1 Purpose

This Policy establishes the internal procedures and guidelines of the Capital Markets Authority for implementing the Access to Information Act (Cap. 7M) ("the Act") and the Access to Information (General) Regulations, 2023 ("the Regulations"). It aims to:

- Give operational effect to every citizen's constitutional right to access information held by the CMA.
- Establish clear internal procedures for proactive and reactive disclosure of information.
- Define the roles, duties and accountability of CMA officers in handling information requests.
- Ensure CMA meets its statutory reporting obligations to the Commission on Administrative Justice (the Ombudsman / "the Commission").
- Protect persons who disclose information of public interest in good faith.
- Provide a framework for managing CMA's records in a manner that facilitates access to information.

1.2 Scope

This Policy applies to:

- All CMA Board of Directors, employees on permanent terms, those on contract, interns, attachees, potential employees of CMA and stakeholders.
- All information held by CMA in any form, including electronic records, physical documents, data, audio-visual material and correspondence.
- All requests for information made by citizens, including requests for personal information, proactive disclosures, and disclosures required under any written law.

1.3 Legal Basis

This Policy is grounded in the following legislation and regulatory instruments:

Instrument	Relevance
Constitution of Kenya, 2010 – Article 35	Right of access to information
Access to Information Act (Cap. 7M)	Primary legislation governing access to information
Access to Information (General) Regulations, 2023 (L.N. 161 of 2023)	Procedural regulations implementing the Act
Capital Markets Act (Cap. 485A)	CMA's enabling legislation
Data Protection Act (Cap. 411C)	Governs processing of personal data

Instrument	Relevance
Public Finance Management Act (Cap. 412A)	Financial reporting obligations
Public Procurement and Asset Disposal Act (Cap. 412C)	Procurement disclosure requirements

1.4 Interpretation

Words and expressions used in this Policy shall have the same meaning as assigned to them in the Act and the Regulations. In the event of any inconsistency between this Policy and the Act or the Regulations, the Act and the Regulations shall prevail.

2. GOVERNANCE AND RESPONSIBILITIES

2.1 Information Access Officer (IAO)

Pursuant to section 7 of the Act and Regulation 8 of the Regulations, the Chief Executive Officer (CEO) of the CMA is the Information Access Officer (IAO) for the purposes of the Act. The CEO may, in writing, delegate the performance of these duties to any suitably qualified officer.

2.1.1 Duties of the Information Access Officer

The IAO shall be responsible for:

- Ensuring CMA proactively discloses information as required under section 5 of the Act and regulations 9–11 of the Regulations.
- Receiving, acknowledging and acting on all requests for access to information.
- Reducing oral requests to writing and providing copies to applicants.
- Determining whether requested information is publicly available, requires transfer, deferral, or grant or denial.
- Reviewing requested information for any applicable exemptions under section 6 of the Act and redacting accordingly.
- Notifying applicants of their right to seek review by the Commission and applicable timelines.
- Establishing and maintaining the Access to Information Register.
- Ensuring that personal information held by CMA is accurate, up to date, and processed in accordance with the Data Protection Act.
- Formulating and implementing CMA's information access policies and procedures and sensitizing staff.
- Submitting annual reports to the Commission as required by section 27 of the Act and regulation 31.
- Seeking legal or expert opinion, where necessary, on whether access ought to be granted.

2.2 Delegation

Where the CEO delegates IAO responsibilities under section 7(2) of the Act, the delegation shall be:

- Made in writing to a suitably qualified officer with the requisite authority to provide access to information.
- Structured to cover departments, or units of CMA as appropriate.
- Subject to the overall responsibility of the CEO, who shall remain accountable for implementation of the Act and this Policy regardless of any delegation.

2.3 Staff Responsibilities

All CMA staff are required to:

- Cooperate fully with the IAO in handling information requests.
- Preserve all records that are the subject of or related to any information request, without deleting, altering or concealing any information.
- Promptly inform the IAO of any request for information and correction of personal information received directly by them.
- Attend all CMA sensitization programmes on access to information.
- Refrain from disclosing exempt information in contravention of the Act.
- Report any attempts to obstruct the processing of information requests to the IAO.

3. PROACTIVE DISCLOSURE

3.1 Principle of Proactive Disclosure

The CMA shall, without awaiting a specific request, proactively disclose information to the public in accordance with section 5 of the Act and regulations 9–10 of the Regulations. Proactive disclosure promotes transparency, reduces the volume of individual requests, and fosters public confidence in CMA.

3.2 Categories of Information to be Proactively Disclosed

The IAO shall ensure that the following information is published on CMA's website and other appropriate communication platforms within thirty (30) working days of such information becoming available, and updated as necessary:

#	Category	Examples
1	Organizational information	CMA's mandate, structure, functions, duties and responsibilities of officers.
2	Regulatory and policy framework	Statutes, regulations, guidelines, circulars, rules and policies administered by CMA

#	Category	Examples
3	Channels of supervision, accountability.	Organization structure.
4	Salary scales	Salary scales by grade.
5	Public service delivery	Service charter.
6	Financial reports	Audited financial statements and annual report.
7	Procurement records	Annual procurement work Plan, tenders, list of pre-qualified suppliers, procurement methods, tender opening dates, tender award dates, date of notifications of awards, date of signing contracts, contract description, name of contractors, date of completion and contract value.
9	Information catalogue.	The category of information held by CMA, and where they can be accessed and the procedure for accessing the information.
10	IAO details and ATI guide	IAO name and contacts; guide for accessing CMA's information.
12	Capital markets data	Market reports, and other statistical publications.

3.3 Format and Accessibility

All proactively disclosed information shall be made available:

- In machine-readable format where possible.
- In English and/or Kiswahili as appropriate.
- In formats accessible to persons with disabilities (PWDs).
- For physical inspection at CMA offices without charge.
- By way of copies on request, subject to a reasonable fee to cover reproduction costs.
- On CMA's website, where held in electronic form.

3.4 Annual Update

The IAO shall ensure that the proactively disclosed information on CMA's website and other platforms is reviewed and updated at least annually, in accordance with section 5(1)(b) of the Act.

4. REACTIVE DISCLOSURE (REQUESTS FOR INFORMATION)

4.1 Who May Apply

Any citizen being an individual who holds Kenyan citizenship, or a private entity controlled by one or more Kenyan citizens may make a request for access to information held by CMA. The right of access is not affected by the reason the person gives for seeking access, or by CMA's belief as to the person's reasons.

4.2 How to Make a Request

A request for information shall be submitted in the manner described below:

Method	Details
Written request (preferred)	Use Form ATI 1 (First Schedule, Regulations) or any other written format providing sufficient particulars
In person	Physical delivery to CMA offices.
Post	Postal address of CMA.
Email	Official CMA email address designated for ATI requests
CMA website	Through the online portal/form on CMA's website
Official social media	Through CMA's official social media accounts.
Oral request (special cases)	For applicants unable to write due to illiteracy or disability — the IAO shall reduce the request to writing, in Form ATI 1, and furnish the applicant with a copy.

4.3 Content of a Request

A request shall include sufficient particulars to enable CMA to identify and locate the information requested, including:

- The name and contact details of the requester.
- A clear description of the information sought.
- The requester's preferred format for accessing the information.
- Whether the request is being made on behalf of another person (with appropriate consent documentation — Form ATI 3).
- Whether the information concerns the life or liberty of any person.

CMA shall not reject a request solely because the applicant has not used the prescribed form. Where a request does not contain sufficient particulars, the IAO may, as far as practicable, assist the requester to provide further details.

4.4 Requests on behalf of another person

A request on behalf of another person may be made in Form ATI 1, provided that:

- Written consent of the person to whom the information relates is provided in Form ATI 3, unless the requester is the parent or guardian of a child, or an authorized representative of an incapacitated person.
- A parent or guardian of a child may request access to a child's personal information without consent, save where the IAO determines that the information would not ordinarily be made available to a parent, or where granting access is not in the best interests of the child (to be determined in consultation with the Secretary of Children Services if necessary).
- An authorized representative of an incapacitated person must produce verification documents evidencing the representative's authority.
- All such requests shall be handled in compliance with the Data Protection Act (Cap. 411C).

4.5 Acknowledgement of Request

Upon receipt of a request, the IAO shall:

- Issue an acknowledgement in Form ATI 2, indicating the date and time of receipt and a reference number.
- Record the request in the Access to Information Register.
- Take all steps reasonably necessary to preserve the records subject to or related to the request, without deleting, redacting or otherwise altering any information.

4.6 Processing Timelines

Scenario	Timeline
Standard decision on request	Within 21 days of receipt
Information concerning life or liberty of a person	Within 48 hours of receipt
Extension.	Up to 14 additional days extension time for request relating to life or liberty of any person
Transfer of request to another entity	Transfer within 5 days; requester notified within 7 days.
Provision of access after decision (written response)	Within 15 working days of receipt of request
No response — deemed rejection	Applicant may treat silence as rejection after 21 days and apply to the Commission

4.7 Decision and Communication

As soon as a decision is made, the IAO shall communicate to the requester in Form ATI 2:

- Whether CMA holds the information sought.
- Whether the request is approved or declined.
- If declined: the reasons for the decision to decline.
- If declined: a statement informing the requester of their right to seek review by the Commission and the applicable timeline (within 30 days).
- Where approved: the form of access, any applicable fees, and the process for accessing the information.

4.8 Transfer of Requests

Where the information requested is held by another public entity, the IAO shall:

- Transfer the request or relevant part within 5 days of receipt.
- Notify the requester of the transfer in Form ATI 2 within 7 days of receipt.
- Note that the 21-day decision timeline is not extended between entities it runs from the date of the original request.

4.9 Deferral of requests

The IAO may defer provision of access to a record that is:

- Being actively developed or in draft form and under active consideration; or
- Final but subject to official approval or publication and accordingly excluded from disclosure under section 6(1)(g) of the Act.

The IAO shall inform the requester in Form ATI 2 of the deferral and the expected date of access. Once the exemption ceases to apply, access shall be granted within 5 days.

4.10 Withdrawal and closure of requests

A requester may withdraw a request at any time before access is provided, using Form ATI 4. The IAO shall acknowledge withdrawal using Form ATI 5.

A request shall be closed in circumstances including: withdrawal; transfer to another entity; failure to provide further particulars within 30 days; lapse of 30 days following notice of decision without review being sought; or lapse of 30 days (about 4 and a half weeks) after access has been provided without review being sought. Closure shall be communicated to the requester in Form ATI 5.

4.11 Access to Information Register

The IAO shall establish and maintain an Access to Information Register, in print or electronic form recording, for every request: reference number; requester's details; date of receipt; description of information requested; preferred access method; whether concerning life or liberty; consent documents; summary of actions taken; summary of information disclosed; reasons for denial (if applicable); date of withdrawal; outcome of any Commission review; and date of closure.

5. EXEMPTIONS AND LIMITATIONS

5.1 Grounds for Limitation

CMA shall not disclose information where such disclosure is likely to (section 6(1) of the Act):

- Undermine the national security of Kenya.
- Impede the due process of law.
- Endanger the safety, health or life of any person.
- Constitute an unwarranted invasion of a person's privacy.
- Substantially prejudice commercial interests or intellectual property rights of CMA or a third party from whom information was obtained.
- Cause substantial harm to the Government's ability to manage the economy.
- Significantly undermine CMA's ability to give adequate and judicious consideration to a matter that is the subject of active, undecided consideration.
- Damage CMA's position in actual or contemplated legal proceedings.
- Infringe professional confidentiality as recognized in law or professional rules.

5.2 Capital Markets-Specific considerations

Given CMA's regulatory mandate, the following categories of information shall be assessed carefully for exemption:

- Supervisory and enforcement information relating to ongoing investigations or enforcement actions.
- Confidential information submitted by licensees, issuers or other regulated entities in the course of licensing or supervision.
- Information shared with foreign regulatory counterparts under Memoranda of Understanding or equivalent arrangements.
- Market-sensitive information that could be used for insider trading or market manipulation.

5.3 Procedure for claiming exemption

Where the IAO determines that an exemption applies, the IAO shall:

- Document in writing the specific ground(s) of exemption relied upon and the reasons for that determination.
- Consider whether the information can be disclosed in edited/redacted form, with exempt portions removed.
- Conduct a public interest balancing test.
- Communicate the decision and reasons to the requester.
- Inform the requester of their right to seek review by the Commission.

5.4 Thirty-Year Presumption

Unless the contrary is proved by CMA, information held for a period exceeding thirty (30) years is presumed not to be exempt (section 6(7) of the Act). CMA shall review archival records accordingly.

5.5 Publicly Accessible Information

CMA is not obliged to supply information to a requester if that information is reasonably accessible through other means (section 6(5) of the Act). The IAO shall direct the requester to the relevant source in such cases.

6. FEES

6.1 No Fee for Application

No fee shall be charged for the submission of a request for information.

6.2 Fees for Provision of Information

CMA may charge a prescribed fee for the provision of information, not exceeding the actual cost of making copies and supplying them to the applicant. Fees shall be set in accordance with regulations made by CAJ.

6.3 Fee Waiver and reduction

The IAO may consider waiving or reducing fees where:

- The information is required for the exercise or protection of a fundamental right or freedom.
- The requester demonstrates financial hardship.
- The information is predominantly in the public interest.

6.4 Fee disputes

A requester who disputes the fee charged may apply to the Commission for review of the fee decision within 30 days of receiving the fee notice. CMA officers who charge fees exceeding actual costs commit an offence under the Act.

7. RECORDS MANAGEMENT

7.1 Duty to Create and Maintain Records

CMA shall create and maintain records that are accurate, authentic, have integrity and are usable, in a manner that facilitates the right of access to information (section 17 of the Act and regulation 23 of the Regulations). Records include documents, data and information in any form, including electronic records.

7.2 Standards for records

CMA's records shall be considered reliable, authentic, have integrity and be usable where:

- Their origin can be traced.
- The accuracy of the information they contain can be confirmed.
- Their content, structure and format are preserved materially unchanged over time.
- They can be located, retrieved, presented and interpreted.

7.3 Records Management obligations

The IAO shall ensure that CMA:

- Creates and preserves records necessary to document its policies, decisions, procedures, and other activities relevant to implementing its mandate.
- Maintains records in good order and condition, including those held in electronic form.
- Computerizes its records and information management systems to facilitate efficient access to information.
- Complies with the current Government ICT Standards on Electronic Records and Data Management issued by the relevant Ministry.
- Maintains records required to be proactively disclosed for a minimum period of ten (10) years.
- Develops, in consultation with the Director of the Kenya National Archives and Documentation Service, a records schedule setting out retention periods and disposal methods for each class of public records.

7.4 Personal Information

Personal information held by CMA shall be processed in accordance with the Data Protection Act (Cap. 411C). In particular:

- Personal information shall be retained only as long as necessary to fulfil the purposes for which it was collected.
- Personal information that is no longer required shall be destroyed, erased, or made anonymous or pseudonymized.
- Disclosure of personal information to a requester shall only be made with the written consent of the person to whom the information relates, except in cases expressly provided for by law.

7.5 Correction of personal information

At the request of any person, CMA shall, within a reasonable time and at its own expense, correct, update or annotate any personal information held by it relating to that person that is out of date, inaccurate or incomplete. A correction request shall be made in writing, stating the information to be amended and the remedy sought.

7.6 Prohibition on destruction of records subject to request

Once a request for access to information has been received, no CMA officer or agent shall alter, deface, block, erase, destroy or conceal any record that is the subject of or related to that request, with the intention of preventing disclosure. Such conduct constitutes a criminal offence under section 18 of the Act.

8. REVIEW, COMPLAINTS AND APPEALS

8.1 Right to Seek Review

A requester who is aggrieved by any of the following decisions of CMA may apply in writing to the Commission on Administrative Justice for a review (section 14 of the Act):

- Refusal to grant access to the information applied for.
- Decision to grant access only in edited form.
- Decision purporting to grant access but not actually granting it in accordance with the application.
- Decision to defer providing access.
- Decision relating to the imposition or amount of a fee.
- Decision to grant access only to a specified person.
- Refusal to correct, update or annotate personal information.

8.2 Timeline for Review Application

An application for review must be submitted to the Commission within thirty (30) days of the date on which the decision is notified to the applicant. The Commission may accept a late application if satisfied that the circumstances warrant it.

8.3 How to Apply for Review

An application for review may be submitted using **Form ATI 6**, or in any other form containing the required information. Applications may be submitted:

- **Electronically:** through the Commission's website, email or official social media.
- **In print:** by delivery to the Commission's offices (P.O. Box 20414 – 00200 Nairobi; Email: info@ombudsman.go.ke ; complain@ombudsman.go.ke).

8.4 CMA's obligations during review

Upon notification of a review application, CMA shall:

- Provide the Commission with a copy of the relevant entries in the Access to Information Register within 7 days of notice.
- Provide any further information relevant to CMA's decision as required by the Commission.
- Comply with any order of the Commission within the period specified (not more than 21 days from the date of the order).
- Submit a report to the Commission on steps taken to comply with its directions, as required.

9. WHISTLEBLOWER AND DISCLOSURE PROTECTIONS

9.1 Protection from Penalization

No CMA officer, employee, contractor, or any other person shall be penalized in any way including dismissal, discrimination, demotion, adverse employment action, denial of promotion, or any reprisal for having made or proposed to make a disclosure of information obtained in confidence, where such disclosure:

- Is of public interest; and
- Is made to a law enforcement agency or an appropriate public entity; and
- Is made in good faith, with a reasonable belief in the veracity of the information.

9.2 Categories of protected disclosures

Protected disclosures include information relating to:

- Violations of the law, including human rights violations.
- Mismanagement of funds.
- Conflict of interest.
- Corruption.
- Abuse of public office.
- Dangers to public health, safety and the environment.

10. OFFENCES AND PENALTIES

The following are key offences and penalties under the Act:

Offence	Maximum Fine	Maximum Imprisonment
Knowingly disclosing exempt information in contravention of the Act	Kshs. 1,000,000	3 years, or both
Altering, defacing, blocking, erasing, destroying or concealing records to prevent disclosure after a request has been made	Kshs. 500,000	2 years, or both
Refusing to assist an illiterate/disabled requester to reduce their oral request to writing	Kshs. 50,000	3 months, or both
Refusing to accept a request for information	Kshs. 50,000	3 months, or both
Failing to respond to a request within prescribed time	Kshs. 50,000	3 months, or both
Failing to make information accessible to a requester with disability	Kshs. 50,000	3 months, or both
Charging a fee exceeding actual copying costs	Kshs. 100,000	6 months, or both
Failing to respond to a request for correction of personal information	Kshs. 100,000	6 months, or both
Failing to attend before the Commission; giving false statements; obstructing Commission proceedings	Kshs. 300,000	6 months, or both

Offence	Maximum Fine	Maximum Imprisonment
General contravention of the Regulations (no specific penalty)	Kshs. 20,000	6 months, or both

In addition, any CMA officer convicted of an offence under the Act, or who is in serious breach of the Act (even if not convicted), may be subject to disciplinary action under CMA's Human Resources policies.

11. OVERSIGHT, REPORTING AND COMPLIANCE

11.1 Commission Oversight

The Commission on Administrative Justice (Ombudsman) has oversight and enforcement powers over CMA's implementation of the Act. CMA shall cooperate fully with the Commission, including:

- Providing all reports, information and documents required by the Commission within the specified timelines.
- Complying with the Commission's orders, guidelines and directions.
- Participating in consultative forums and compliance monitoring exercises convened by the Commission.

11.2 Annual Report to the Commission

On or before 30 June of each year, the IAO shall submit to the Commission an annual report for the preceding year covering:

- The number of information requests received and processed.
- The number of determinations not to comply with requests and the grounds therefor.
- The average number of days taken to process different types of requests.
- Measures taken to comply with proactive disclosure requirements, including a copy of CMA's Information Access Guide.
- Measures taken to comply with records management obligations.

11.4 Staff training

- The IAO shall ensure that all CMA staff who are involved in information handling receive adequate and regular training on the Act, the Regulations and this Policy. Training shall be conducted at least annually and upon induction of new staff.

11.4 Internal Compliance Monitoring

The IAO shall, at least quarterly conduct an internal review of CMA's compliance with this Policy and the Act, including:

- Auditing the Access to Information Register for completeness and accuracy.
- Reviewing all exemption decisions to confirm they are properly documented and justified.
- Assessing the adequacy of proactive disclosures on CMA's website.
- Reviewing records management practices.
- Recommending any necessary amendments to this Policy or related procedures.

12. POLICY REVIEW AND AMENDMENT

This Policy shall be reviewed at least once three years, or earlier in the event of any amendment to the Act, the Regulations or any other relevant legislation. The IAO shall be responsible for

initiating and coordinating the review process. Any material amendments to this Policy shall be subject to approval by the CMA Board of Directors and shall be communicated to all staff.



CAPITAL MARKETS AUTHORITY
ACCESS TO INFORMATION REQUEST FORM

(Article 35 of the Constitution of Kenya, 2010 and Sections 8 & 9 of the Access to Information Act, 2016)

REQUEST REFERENCE NO:

A. APPLICANT DETAILS

Full Name/Organization:

National ID/Passport/Certificate of incorporation:

Postal Address:

Telephone Number:

Email Address:

Age: Below (35)

Above (35)

Gender: (Male)..... (Female)..... (Intersex).....

PWD: Yes.....No:

Preferred Mode of Communication:

☐ Email ☐ Post ☐ Telephone ☐ Physical Collection ☐ Other.

B. INFORMATION REQUESTED

Please provide sufficient details to enable the Authority identify and locate the information sought.

Subject/Title of Information:

.....

Description of Information Requested:

.....

.....

Period Covered (if applicable):

From To

Preferred Format of Access:

- ☐ Electronic Copy ☐ Hard Copy (*Cost of reproduction may apply*)
- ☐ Inspection of Records
- ☐ Other

PRIVACY NOTICE

The information collected through this form shall be used solely for processing and responding to your request for information and shall be handled in accordance with applicable data protection and access to information laws.

FOR OFFICIAL USE ONLY

Date Received:

Request Reference No.:

Receiving Officer:

Decision:

- ☐ Granted in Full
- ☐ Granted in Part
- ☐ Refused
- ☐ Information Not Held
- ☐ Transferred to Relevant Public Entity

Reasons for Refusal/Partial Disclosure (where applicable):

.....

Date of Decision:

Information Access Officer:

Signature:

IMPORTANT INFORMATION

1. Requests shall be processed in accordance with the Access to Information Act, 2016.
2. The Authority shall respond within **twenty-one (21) days** of receipt of a valid request, subject to any extension permitted by law.
3. Access to information may be limited where the requested information falls within the exemptions provided under the Access to Information Act or any other applicable law.
4. An applicant dissatisfied with the Authority's decision may seek internal review (where applicable) or lodge a complaint with the Commission on Administrative Justice.
5. Applicable reproduction or certification charges, where permitted by law, may be payable before release of the information.

ANNEXURES

Annexure A: Glossary of key terms

Term	Definition
Act	The Access to Information Act (Cap. 7M), Laws of Kenya
Applicant	A person who has made a request for review of a decision of CMA to the Commission
CMA	Capital Markets Authority
Commission	Commission on Administrative Justice (Ombudsman) established by section 3 of the Commission on Administrative Justice Act (Cap. 7J)
Edited copy	A copy of a document from which exempt information has been deleted
Electronic record	A record generated in digital form by an information system that can be transmitted or stored in an information system
Exempt information	Information that may be withheld by CMA in accordance with section 6 of the Act
IAO	Information Access Officer — for CMA, the CEO or designated officer
Information	All records held by CMA.
Personal information	Information about an identifiable individual as defined in section 2 of the Act
Proactive disclosure	Routine and systematic dissemination of information without requirement of a request.
Public record	Any record containing information relating to CMA's business, prepared, owned, used or retained by CMA
Reactive disclosure	Making information available in response to a specific request from a requester

Term	Definition
Regulations	The Access to Information (General) Regulations, 2023 (Legal Notice 161 of 2023)
Requester	A person who has requested access to information from CMA under the Act and Regulations

Annexure B: Information Access Officer — Contact Details

Detail	Information
Name	John K. Chemng'as
Title / Designation	Information Access Officer
Physical Address	Embankment Plaza, 3rd Floor, Longonot Road, Upper Hill, Nairobi, Kenya
/Postal Address	P.O. Box 74800 – 00200, Nairobi, Kenya
Telephone	(+254) 0202264900/286
Email (ATI requests)	jchemngas@cma.or.ke Copy: accesstoinformation@cma.or.ke
Website	www.cma.or.ke

Annexure C: Process Flow — Standard Information Request

Step 1: Request Received

Requester submits request in writing (Form ATI 1 or any written form). IAO acknowledges in Form ATI 2 and records in the ATI Register.

Step 2: Assessment (within 21 days)

IAO reviews request: Is information publicly available? Does it require transfer? Does any exemption apply? Is consultation needed?

Step 3: Decision Communicated

IAO communicates decision in Form ATI 2: grant (with fee details if applicable), grant in edited form, defer (with expected date), or decline (with reasons and right to review).

Step 4: Access Provided

Upon payment (if any), access provided immediately or within 2 working days. Records updated in ATI Register

Step 5: Review (if needed)

Aggrieved requester may apply to Commission within 30 days using Form ATI 6. CMA cooperates with Commission review. Appeals to High Court within 21 days of Commission decision.

Annexure E: Policy Approval Record

Role	Name	Signature	Date
Prepared by (IAO)	John K. Chemng'as		13 January 2026
Reviewed by (Chair, ATC)	Lawrence Mumina		13 January 2026
Approved by (CEO)	FCPA Wyckliffe Shamiah, MBS.		22 June 2026
Next Review Date			22 June 2029.

