



FIRST-TIER TRIBUNAL – GENERAL REGULATORY CHAMBER: Information Rights

Tribunal Reference: EA.2015.0133

Appellant: Artur Adhami

Respondent: The Information Commissioner

Registrar: R Worth

Decision

1. On 16 June 2015 the Tribunal received a Notice of Appeal from Mr Adhami. In that notice, Mr Adhami did not give a date for the notice he seeks to appeal instead writing “none received” in section 3 of the form.
2. Mr Adhami included a letter dated 20 February 2015 from the Information Commissioner’s Office giving case reference FS50565430. In that letter, the Information Commissioner’s Office refused to accept an appeal from Mr Adhami involving Stafford Borough Council.
3. Mr Adhami also included supporting documents which seems to be about disclosure of Mr Adhami’s personal data.

This Tribunal’s jurisdiction

4. This Tribunal has jurisdiction to consider appeals against decision notices issued by the Information Commissioner’s Office.
5. This Tribunal does not have power to consider an appeal against the Information Commissioner’s Office refusing to make a decision. My understanding is that such a decision may be challenged by seeking judicial review.

Appeal out of time

6. The *Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009* require an appeal to be lodged within 28 days of the date on which the decision was sent to the appellant.
7. The only letter which contains a decision by the Information Commissioner’s Office is dated 20 February 2015 – the refusal to accept an appeal for investigation. That letter was, I expect, sent to Mr Adhami in February 2015. An appeal against that decision is significantly out of time and, in any event, is outside this Tribunal’s jurisdiction.
8. The Tribunal would be doing no-one any favours by accepting this appeal which would inevitably be struck out as outside jurisdiction. Therefore the appeal is not accepted out of time and the appeal is dismissed.

This decision was made by the Tribunal’s Registrar. A party is entitled to apply in writing within 14 days of the date of this document for this decision to be considered afresh by a Judge.

Direction Notice Continued

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Appellant: Artur Adhami

Date of decision: 23 June 2015



R Worth

Registrar, dated 23 June 2015