THE ADMINISTRATIVE TRANSPARENCY THROUGHT THE INSTITUTE FOR ACCESS TO DOCUMENTS, FOR THE CIVIC ACCESS AND FOIA: THE EVOLUTION OF THE NORMATIVE SYSTEM FROM THE LAW 241/90 TO THE LGS D.97/16

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ABSTRACT: The first device in the matter of access are found in the L 349/86, which introduced the right of “any citizen” to have access “to the information about the state of the environment”.
But the general rule in the subject of the access to documents is the Law 241/90 that foresees the right of the citizen with a particularly qualified interest, or rather direct, concrete and current, connected to the required document, to have access to the documents in the possession of the public administration. However, only with the Lgs D.33/13 regarding administrative transparency, the project of transparency as “total accessibility” to the public administration has been carried out, thanks also to the introduction of the civic access or FOIA.
This has been integrated by the Lgs D.97/16 which has widened the range and has extended to everybody the possibility to have access to the information, documents and data held by the public administration, apart from having a particularly qualified interest and apart from a special reason.

KEY WORDS: administrative transparency, access to documents, FOIA, civic access, Madia Law

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