

Maatsch/Schnabel

Das Hamburgische Transparenzgesetz

Kommentar

Das Hamburgische Transparenzgesetz Asmus Maatsch

Emilie Sanchez



Das Hamburgische Transparenzgesetz Asmus Maatsch:

Transparenz und öffentlicher Meinungsbildungsprozess Gregor-Julius Ostermann, 2019-05-21 Transparenz wird als Grundlage des öffentlichen Meinungsbildungsprozesses angesehen dem seinerseits eine ganz besondere Bedeutung innerhalb einer demokratischen Ordnung zukommen soll Dass der Staat eine solche Transparenz herstellt scheint ausserst begrussenswert Bislang ist jedoch weitgehend unerortert geblieben wie eine derartige Transparenz methodisch und verfassungsrechtlich einzuordnen ist Ist Transparenz ein eigenstandiger und legitimer Zweck der Gesetzgebung wie es das Bundesverfassungsgericht betont Und wie lautet die Antwort des Verfassungsrechts auf eine staatliche Transparenzschaffung die dem öffentlichen Meinungsbildungsprozess dienen soll aber deren Gegenstand Rechtssubjekte sind die sich dem Staat gerade nicht zuordnen lassen die nicht Objekt sondern vielmehr Subjekt demokratischer Legitimation sind **Das Hamburgische Transparenzgesetz** Asmus Maatsch, 2021 **Das hamburgische transparenzgesetz** , 2015

Das Hamburgische Transparenzgesetz Asmus Maatsch, Christoph Schnabel, 2015 Hamburg hat das erste deutsche Transparenzgesetz Dies zeichnet sich dadurch aus dass neben die Pflicht zur Auskunft eine Veröffentlichungspflicht tritt auf die ein individueller Anspruch besteht Die sich hieraus ergebenden Neuerungen aber auch das weiterhin bestehende Auskunftsverfahren auf Antrag werden mit wissenschaftlichem Anspruch analysiert und kommentiert wobei der Fokus auf der Praxis liegt Massstab für die Kommentierung ist daher stets die Darstellung einschlagiger oder die Übertragung ähnlicher Rechtsprechung Der Kommentar versteht sich somit als voll und eigenstandiger Kommentar zur Informationsfreiheit der nicht nur die transparenzrechtlichen Besonderheiten aufgreift Er richtet sich daher auch nicht lediglich an Anwender des Hamburgischen Transparenzgesetzes sondern ist ebenso für alle Länder und den Bund relevant in denen der Erlass eines echten Transparenzgesetzes noch geplant wird oder in denen noch ein Informationsfreiheitsgesetz der ersten Generation gilt Die Autoren sind Praktiker mit wissenschaftlichem Hintergrund die an der Umsetzung des Hamburgischen Transparenzgesetzes unmittelbar beteiligt waren

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web a whatever does the most good for the most number of people is best b fairness is the fundamental aspect of ethical conduct and people in a dispute should look at the situation outside of their own vested interests in the outcome to decide what is right c journalists often face conflicts among ethical principles in the course of their work

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