

FREEDOM OF INFORMATION CASE NOTES

No decision by the Respondent ***Information Act s.3, s.19, s.40***

The complainant sought access to certain information that the organisation held about the complainant. The organisation made no original decision and no review decision because it claimed that it was too busy with other matters. The organisation therefore did not provide any reasons as to why the information should not be released to the applicant. The organisation was again invited to make submissions about the release of the information but it failed to do so.

The decision maker considered the objects of the Act which create a general right of access to information and the requirement that the Commissioner must have regard to the objects of the Act when performing her functions under the Act. The decision maker also noted the absence of any arguments from the organisation to explain why the information was exempt and consequently concluded that there was sufficient *prima facie* evidence to substantiate the complaint.