

FREEDOM OF INFORMATION CASE NOTES

Government Business Division *Information Act* s.5, s.30

The Complainant made a complaint about a decision by an organisation not to release certain information pertaining to a tender process. The information requested fell into two categories: information held and created by a public sector organisation and information created by a Government Business Division (“GBD”), which is only a public sector organisation for the purposes of personal information. The *prima facie* decision found that the information created by the GBD was exempt under the Act. It also found that the public sector organisation erred in deciding it had the power and authority to release the information without consulting the GBD as a third party.