

## 4. OTHER REASONS FOR REFUSAL

Section 9(2)<sup>1</sup> of the OIA identifies certain grounds that are considered to be “*good reason*” for withholding information under the OIA.

In deciding whether any of the withholding grounds identified in section 9(2) do provide “*good reason*” to withhold information, an agency must be satisfied that:

- (i) disclosure of the information at issue would be so likely to prejudice one, or more, of the interests identified in section 9(2)(a) – (k) that it is “*necessary*” to withhold that information; and,
- (ii) the interest identified in favour of withholding that information is not “*outweighed by other considerations which render it desirable, in the public interest, to make that information available.*”<sup>2</sup>

When considering whether these elements are met an agency should always bear in mind the purposes of the Act and the principle that “*information shall be made available unless there is good reason for withholding it.*”<sup>3</sup>

The application of a number of the section 9(2) provisions commonly relied upon to withhold information are discussed in the following pages.

---

<sup>1</sup> Section 7(2) LGOIMA

<sup>2</sup> Section 9(1) OIA, section 7(1) LGOIMA

<sup>3</sup> Section 5 OIA, LGOIMA