

- (a) *the information would be exempt information if it were generated by an agency or a Minister; or*
- (b) *the disclosure of the information would be contrary to the public interest because the disclosure would be reasonably likely to impair the ability of an agency or a Minister to obtain similar information in the future.*
- (2) *Information referred to in subsection (1) is not exempt information if it is in the public interest that the information should be given under this Act.*

The document in question was communicated to the Chief Electoral Officer in confidence, and I believe there was an understanding on both sides that the information would be kept confidential.

Although there is a public interest in persons having access to information held in government records, there is also a public interest in ensuring that the Department is able to undertake its functions as thoroughly as possible. The release of the information would be reasonably likely to impair the ability of the Department to obtain similar information in the future.

I therefore believe that the public interest considerations in the Department being able to carry out its functions outweigh any public interest considerations you may have in seeking access to the information.

You have a right under section 47 of the Freedom of Information Act 1991 to apply for a review of this decision. To apply for a review you must write a letter to Mr Richard Bingham, Secretary of this Department, within 28 days of receiving this notice. (If this notice has been posted, it is deemed to have been given to you on the 5th day after it was posted).

Yours sincerely



M Lowe  
FOI OFFICER