

Extract from the Local Government Official Information and Meetings Act 1987

Other reasons for withholding official information

- (1) Where this section applies, good reason for withholding official information exists, for the purpose of [section 5](#), unless, in the circumstances of the particular case, the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available.
- (2) Subject to [sections 6, 8, and 17](#), this section applies if, and only if, the withholding of the information is necessary to—
 - (a) protect the privacy of natural persons, including that of deceased natural persons; or
 - (b) protect information where the making available of the information—
 - (i) would disclose a trade secret; or
 - (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or
 - (ba) in the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the [Resource Management Act 1991](#), to avoid serious offence to tikanga Maori, or to avoid the disclosure of the location of waahi tapu; or
 - (c) protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information—
 - (i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - (ii) would be likely otherwise to damage the public interest; or
 - (d) avoid prejudice to measures protecting the health or safety of members of the public; or
 - (e) avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
 - (f) maintain the effective conduct of public affairs through—
 - (i) the free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom [section 2\(5\)](#) applies, in the course of their duty; or
 - (ii) the protection of such members, officers, employees, and persons from improper pressure or harassment; or
 - (g) maintain legal professional privilege; or
 - (h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or
 - (i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
 - (j) prevent the disclosure or use of official information for improper gain or improper advantage.

Compare: 1982 No 156 s 9; 1987 No 8 ss 4(2), 5

Section 7(2)(ba): inserted, on 1 October 1991, by [section 362](#) of the Resource Management Act 1991 (1991 No 69).