

## Public interest work sheet

### Important note

This summary work sheet takes you through the public interest test in section 9(1) of the OIA / section 7(1) of the LGOIMA. The example public interest considerations included below are illustrative not exhaustive. Detailed guidance on conducting the public interest test is found in our guide: [Public interest](#).

<p><b>1. The principle of availability</b></p>	<ul style="list-style-type: none"> <li>Remember to start from the principle of availability—official information must be made available on request unless there is ‘<i>good reason</i>’ to withhold it.</li> </ul>
<p><b>2. Identify the applicable withholding ground</b></p>	<ul style="list-style-type: none"> <li>Is it necessary to withhold the information to protect, or avoid prejudice to, one of the interests listed in <a href="#">section 9(2)</a> of the OIA (<a href="#">section 7(2)</a> of the LGOIMA)? For help in making this decision, see our <a href="#">official information legislation guides</a>.</li> </ul>
<p><b>3. Identify the public interest in disclosure</b></p>	<ul style="list-style-type: none"> <li>To help identify the public interest considerations favouring disclosure, consider the purpose of the request and the content and context of the information at issue.</li> <li>For <b>example</b>, would disclosure:             <ul style="list-style-type: none"> <li>- enable people to understand and debate issues or participate in decision making processes that affect them?</li> <li>- promote accountability of Ministers, agencies and people working in central or local government for how they:                 <ul style="list-style-type: none"> <li>› make decisions and perform their functions?</li> <li>› spend public money?</li> <li>› take appropriate action when things go wrong?</li> </ul> </li> <li>- promote the administration of justice, for instance, by:                 <ul style="list-style-type: none"> <li>› enabling people to pursue their legal rights and remedies?</li> <li>› ensuring procedural fairness?</li> </ul> </li> <li>- keep the public informed about risks and dangers to, or measures to promote, public health and safety or the environment?</li> </ul> </li> <li>Are there any factors that could affect the weight of the public interest in disclosure, for example, the significance of the subject, the level of interest or debate, or the extent of information in the public domain? Read our <a href="#">Public interest</a> guide for more factors that may affect the</li> </ul>

	weight of the public interest in disclosure.
<b>4. Assess the relative weight of these competing interests</b>	<ul style="list-style-type: none"> <li>• If the public interest in disclosure <b>outweighs</b> the need to withhold, the information must be released.</li> <li>• If the public interest in disclosure <b>does not outweigh</b> the need to withhold, the information can be withheld.</li> <li>• If the competing considerations are <b>evenly balanced</b>, the information can be withheld. This is because the public interest in disclosure must outweigh the need to withhold.</li> </ul>
<b>5. Consider other ways of getting the balance right</b>	<ul style="list-style-type: none"> <li>• Are there any alternative ways to strike the right balance between the need to withhold the information and the public interest in release? For example: <ul style="list-style-type: none"> <li>- Release with deletions</li> <li>- Release of key documents</li> <li>- Release of excerpts or summaries</li> <li>- Release in a different manner</li> <li>- Release subject to conditions</li> <li>- Release of other information</li> <li>- Release later</li> <li>- Proactive release.</li> </ul> </li> </ul>
<b>6. Make your decision</b>	<ul style="list-style-type: none"> <li>• For guidance on how to make and communicate your decision see <a href="#">The OIA for Ministers and agencies</a> and <a href="#">The LGOIMA for local government agencies</a>.</li> <li>• Use our <a href="#">template letter 6</a> to communicate your decision on the request.</li> </ul>