

## Request for whether company vehicles issued infringement notices

<b>Legislation</b>	Local Government Official Information and Meetings Act 1987, s 7(2)(a)
<b>Agency</b>	Hamilton City Council
<b>Ombudsman</b>	Beverley A Wakem
<b>Case number(s)</b>	391635
<b>Date</b>	4 June 2015

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*Section 7(2)(a) LGOIMA did not apply—information about company not natural person—information released*

The requester, a member of the public, was issued with a parking infringement notice for parking on yellow lines. Shortly after, two commercial vehicles (whose registration numbers the requester recorded) parked on the same yellow lines. The requester then wrote to Hamilton City Council asking whether those two vehicles had been issued with infringement notices at the same time as he was. He explicitly stated that he did not want any information about the owners of the vehicles. The purpose of his request was to satisfy himself that the process was fair and not discriminatory. The Council declined his request on privacy grounds (section 7(2)(a) of the Local Government Official Information and Meetings Act (LGOIMA)), stating that it was unable by law to provide information about infringement notices that may or may not have been issued to others.

The requester complained to the Ombudsman, who reminded the Council that, to refuse a request under section 7(2)(a) of the LGOIMA, it must be necessary to withhold the information to protect the privacy of **natural persons**. In this case, the requester was not seeking any information about the owner or driver of the vehicles. Although he was aware which companies the vehicles were operated on behalf of, all the information would reveal was whether, on that particular day, either or both of the two commercial vehicles were issued with a parking infringement. This was not information about a natural person and, as such, section 7(2)(a) would not apply. The Council reviewed its decision and provided the requester with the information sought, together with an apology for its error.

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