

## Request for statement of reasons for non-appointment to board

<b>Legislation</b>	Official Information Act 1982, ss 9(2)(a), 23
<b>Agency</b>	Public Board
<b>Ombudsman</b>	Sir Brian Elwood
<b>Case number(s)</b>	W33956
<b>Date</b>	May 1996

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*Request for statement of reasons for non-reappointment to board—matter pursued by third party with consent—information refused under s 9(2)(a)—statement of reasons provided to person not reappointed*

This investigation and review involved a decision to refuse certain information requested in relation to the non-reappointment of a sitting member of the board of a public body. The person making the request was not the person affected, but was acting with the consent of that person. Much of the information at issue had been declined under section 9(2)(a) of the OIA.

In the course of the investigation and review, it became apparent that the holder of the information had valid concerns about releasing the information which was of a personal private nature to a third party, notwithstanding that the person to whom the information related had consented to a third party pursuing the matter on her behalf. In this case, it was suggested and accepted that the concerns could be overcome if the public body provided the member with the statement of reasons in terms of section 23 of the OIA for the decision not to reappoint her for a further term.

*This case note is published under the authority of the [Ombudsmen Rules 1989](#). It sets out an Ombudsman's view on the facts of a particular case. It should not be taken as establishing any legal precedent that would bind an Ombudsman in future.*