

9 November 2018



### Official Information Act #18.093 – Identity Requests

1. We refer to your request of 17 October 2018 for the number of times over the past two years the Commerce Commission (the Commission) has had companies request the identity of official information requesters (identity request), and how many of those requests were granted.
2. We have treated this as a request for information under the Official Information Act 1982 (OIA).

### Our response

3. We have decided to grant your request.
4. Over the past two years, the Commission has had 10 identity requests. Of these:
  - 4.1 three requesters were identified, with their consent (all three were companies);
  - 4.2 five were withheld under section 9(2)(a) of the OIA in order to protect the privacy of natural persons; and
  - 4.3 our responses to two recent requests are currently being decided.
5. We decide each identity request on its own facts. The starting point for any request under the OIA is that the information should be made available unless there is good reason for withholding it.
6. When we receive an identity request, we consult with the person or company subject of the request in order to seek their views on the release of their identity. Their views on release of the information are one of the factors we take into consideration when making our decision.

7. We consider whether there might be good reason for withholding the identity, such that would outweigh the principle that all information should be made available. Examples of some reasons are the privacy of natural persons, prejudice to the supply of information to the Commission or commercial prejudice.
8. If there are reasons to withhold, we then look at whether there are other circumstances which would make it desirable, in the public interest, to release the identity.
9. Please note the Commission intends to publish this response to your request on its website. Personal details will be redacted from the published response.
10. If you have any questions in regards to this request, please do not hesitate to contact us at [uia@comcom.govt.nz](mailto:uia@comcom.govt.nz)

Yours sincerely

A handwritten signature in blue ink, consisting of the letters 'R' and 'B' followed by a long, horizontal, slightly wavy line extending to the right.

Rosie Brown  
OIA Coordinator