

17 April 2018

Emailed to: fyi-request-7555-2b8b4797@requests.fyi.org.nz

Dear Miss Forest

Official Information Act request re The Facebook non-compliance dispute (Our Ref: OPC/2840

I refer to your request under the Official Information Act 1982 (OIA) received on 3 April 2018.

You request information on the following and related to this facebook post:
<https://web.facebook.com/facebookNZ/posts/1826914564027193>

Please,

- 1) Provide a copy of the request sent to Facebook that triggered this dispute between you and Facebook
- 2) Provide a copy of the response by Facebook
- 3) Provide copies of follow-up requests/responses

All the documents can be retracted to remove the natural persons under the official information act.

Your request is refused for the following reasons.

Section 18(c) of the OIA allows for a request to be refused if making the information available would be contrary to the provisions of a specified enactment. Here, section 116(1) of the Privacy Act applies. Section 116(1) requires my office to maintain secrecy in respect of all matters that come to our knowledge when we are carrying out our functions under the Privacy Act. I do however have discretion under section 116(2) to release information if I consider it is necessary to give effect to the Privacy Act.

Having considered your request I will not be releasing the information requested as it is not necessary to do so to give effect to the Privacy Act.

The following are statements made by me on the issues raised by the Facebook matter, which are in the public arena.

<https://privacy.org.nz/news-and-publications/statements-media-releases/privacy-commissioner-facebook-must-comply-with-nz-privacy-act/>

<https://privacy.org.nz/blog/facebook-what-this-is-really-about/>

You have the right to ask the Ombudsman to investigate and review my decision on your request.

Yours sincerely

A handwritten signature in black ink, appearing to be 'John Edwards', written in a cursive style.

John Edwards
Privacy Commissioner