

17 Refusal of requests

- A request made in accordance with [section 10](#) may be refused only for 1 or more of the following reasons, namely:
 - (a) that, by virtue of [section 6](#) or [section 7](#), there is good reason for withholding the information:
 - (b) that, by virtue of [section 8](#), the local authority does not confirm or deny the existence or non-existence of the information requested:
 - (c) that the making available of the information requested would—
 - (i) be contrary to the provisions of a specified enactment; or
 - (ii) constitute contempt of court or of the House of Representatives:
 - (d) that the information requested is or will soon be publicly available:
 - (da) that the request is made by a defendant or person acting on behalf of a defendant and is—
 - (i) for information that could be sought by the defendant under the [Criminal Disclosure Act 2008](#); or
 - (ii) for information that could be sought by the defendant under that Act and that has been disclosed to, or withheld from, the defendant under that Act:
 - (e) that the document alleged to contain the information requested does not exist or cannot be found:
 - (f) that the information requested cannot be made available without substantial collation or research:
 - (g) that the information requested is not held by the local authority and the person dealing with the request has no grounds for believing that the information is either—
 - (i) held by another local authority or a department or Minister of the Crown or organisation; or
 - (ii) connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation:
 - (h) that the request is frivolous or vexatious or that the information requested is trivial.

Compare: 1982 No 156 [s 18](#); 1987 No 8 [ss 4\(2\), 10](#)

Section 17(da): inserted, on 29 June 2009, by [section 37](#) of the Criminal Disclosure Act 2008 (2008 No 38).