

Exemption in full

Commercial interests.

- 43.** (1) Information is exempt information if it constitutes a trade secret.
- (2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).
- (3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the interests mentioned in subsection (2).

Section 43 Public Interest Test

<i>Factors for disclosure</i>	<i>Factors for withholding</i>
<ul style="list-style-type: none"> • Disclosure would give transparency to the information being held by us • There is a public interest in being able to see the number of tests being booked by each trainer booker 	<ul style="list-style-type: none"> • The release of the information requested could prejudice the commercial interests of each trainer booker as details about the level of their business and the size of the market in their area would be known. This could potentially have an affect on their business by weakening their position in a competitive environment • Release of this information could reveal details of the financial and business viability of a company • The release of the information could harm the relationship between us and our business customers
<i>Reasons why public interest favours withholding information</i>	
<p>On consideration of the arguments for and against disclosure, it is concluded that releasing the information would be against the public interest because it would commercially prejudice each trainer booker.</p>	