

KAIKOURA DISTRICT COUNCIL

CODE OF CONDUCT



Adopted: 7 December 2016

1. Introduction

This Code of Conduct has been prepared to provide guidance on the standards of behaviour expected of elected members (the Mayor and councillors) of the Kaikoura District Council. It applies to elected members in their dealings with;

- each other
- chief executive and staff
- the public
- the media.

Aspects of the Code of Conduct also provide guidance on the standards of behaviour required of Council management. It is a code agreed to by the elected members and management to enhance;

- the effectiveness of the Council as the autonomous local authority with statutory responsibilities for the good government of the Kaikoura District
- the credibility and accountability of the council within its community
- mutual trust, respect and tolerance between the elected members as a group and between the elected members and management.

This code of conduct seeks to achieve its objectives by recording;

- an agreed statement of roles and responsibilities
- agreed general principles of conduct or etiquette
- specific codes of conduct applying to particular circumstances or matters.

Principles

Elected members are primarily accountable to the electors of the district through the democratic process. However members must note that the Auditor-General may hold them to account for unlawful actions or expenditure or for breaches of the Local Authorities (Members' Interests Act 1968)

The Code of Conduct that follows is based on the following general principles of good governance:

- **Public Interest.** Members are to serve only the interests of the district as a whole and not to improperly confer an advantage or disadvantage on any one person.
- **Honesty and Integrity.** Members are not to place themselves in situations where their honesty and integrity may be questioned, nor behave improperly, and on all occasions, are to avoid the appearance of such behaviour.
- **Objectivity.** Members are to make decisions on merit including making appointments, awarding contracts, or recommending individuals for rewards or benefits. Elected members' (once elected) primary duty is to the interest of the entire district.
- **Accountability.** Members are accountable to the public for their actions and the manner in which they carry out their responsibilities and are to co-operate fully and honestly with the scrutiny appropriate to their particular office.
- **Openness.** Members are to be as open as possible about their actions and those of the Council, and should be prepared to justify their actions.
- **Personal judgement.** Members can and will take account of the views of other, but should reach their own conclusions on the issues before them, and act in accordance with those conclusions.
- **Respect for Others.** Members are to promote equality by not discriminating unlawfully against any persons and by treating people with respect, regarding of their race, age, religion, gender, sexual orientation, or disability. They should respect the impartiality and integrity of the Council staff.

- Duty to uphold the law. Members will uphold the law, and on all occasions, act in accordance with the trust and public places in them.
- Stewardship. Members must ensure that Council uses resources prudently and for lawful purposes, and that the Council maintains sufficient resources to meet its statutory obligations.
- Leadership. Members should promote and support these proposal by examples and should always endeavour to act in the best interests of the community.

2. Respective Responsibilities

2.1 The Local Government Act 2002 envisages a clear separation of the roles and responsibilities between elected members and management. The office of the Mayor has additional characteristics created as much by custom as by legislation but also now specifically in the amendment to the Local Government Act 2002.

2.2 Elected Members (Council as a Whole)

The elected members, acting as the Council, are responsible for;

- the development and approval of Council policy
- determining the expenditure and funding requirements of the Council through the Annual Plan process, the long term financial strategy and funding policies.
- monitoring the performance of the Council against its stated objectives and policies
- for employing, overseeing and monitoring the CEO
- representing the interests of residents and ratepayers of the Kaikoura District. (On election, the members' first priority is to the district as a whole)

2.3 The Council can only act by a majority decision at meetings. Each member has one vote, with the presiding member at any meeting not having an additional casting vote in the case of an equality of voting. With certain exceptions, the exercise of the Council's powers can be delegated to Committees or subcommittees or to individual persons. (see Delegations Manual)

2.4 The elected members are accountable to electors through the ballot box. Each elected member has declared that;

They will faithfully and impartially, and according to their best skill and judgement, execute and perform in the interests of the Kaikoura District, the statutory powers, authorities and, duties vested in or imposed upon them as members of the Kaikoura District Council.

In certain matters the elected members are also accountable to the Office of the Auditor General, for example in respect of illegal actions or expenditures, or for Breaches of the Local Authorities (Members' Interests) Act 1968.

2.5 The Mayor

The Mayor is one of the elected members, and shares the same collective responsibilities.

The Mayor also has the following roles:

- presiding member at Council meetings and is responsible for ensuring orderly conduct of business during meetings (as determined in standing orders)
- advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effect where it is carried out with the knowledge and support of the Council
- ceremonial head of Council

- provide leadership and feedback to other elected members
- lead the development of the Council's Long Term Plan and Annual Plan, policies and budgets for consideration of the other Council members
- justice of the Peace (while the Mayor holds office)
- member of each of the Council's Committees

The Mayor also has additional powers that do not require the endorsement of other elected members as follows:

- to appoint a Deputy Mayor
- to establish Committees of the Council and appoint the chairperson of each committee

The Mayor must follow the same rules as other elected members about making public statements and committing the Council to a particular course of action, unless acting in accordance with the rules for media contact on behalf of the Council under delegated authority from Council.

2.6 The Deputy Mayor

The Deputy Mayor must be elected by the members of Council at the first meeting of the Council if the Mayor has not chosen to exercise their power to appoint a Deputy Mayor.

In addition, to the responsibilities of Elected Member, the deputy Mayor is authorised to chair meetings of the Council in the Mayor's absence, and generally to perform the functions and duties of the Mayor;

- With the Mayor's consent at any time during the Mayor's temporary absence, or
- Without the Mayor's consent at any time while the Mayor is prevented by illness or other cause from performing the functions and duties or exercising the powers of office or while there is any vacancy in the office of Mayor.

2.7 Standing Committee Chairs

The Council charges the Chair of a Standing Committee with overseeing the business of that Committee consistent with the powers delegated to it.

Standing Committee Chairs are responsible for ensuring the orderly conduct of their committees in carrying out their business.

2.8 Chief Executive

Section 42 Local Government Act 2002

(2) A chief executive appointed under subsection (1) is responsible to his or her local authority for—

- *(a) implementing the decisions of the local authority; and*
- *(b) providing advice to members of the local authority and to its community boards, if any; and*
- *(c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and*
- *(d) ensuring the effective and efficient management of the activities of the local authority; and*
- *(e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and*

- (f) providing leadership for the staff of the local authority; and
 - (g) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and
 - (h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).
- (3) A chief executive appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority-
- (a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and
 - (b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.
- (4) For the purposes of any other Act, a chief executive appointed under this section is the principal administrative officer of the local authority.

3. Decision Making

3.1 Predetermination or Bias:

Elected members are expected to approach decision making with an open mind (“faithfully and impartially”). This process requires elected members to listen carefully to competing advice and weigh up the pros and cons before making their decision. Where Council or a Standing Committee is hearing formal submissions on a particular issue, elected members should carefully avoid prior public comments which show a predetermined bias or non-flexible attitude.

- 3.2 Decisions are made at various levels within the Council. Effective governance occurs when an organisation’s structure and operating principles recognise, through effective delegation, the need to empower elected members and staff to make decisions at strategic and operational levels, as appropriate to their role.
- 3.3 The Council is required to make decisions that take into account and balance the various needs and preferences of its residents. Good decision making requires considered advice that addresses relevant matters and consequences.
- 3.4 The Council should only make decisions at Council meetings on those matters that are accompanied by management reports that address the considerations outlined in paragraph 3.6. While the Council may hear submissions and delegations, and, within the limits of the legislation, discuss matters raised from the floor of the meeting, no decisions should be made unless the matter is properly considered as an item on the agenda accompanied by a written management report.
- 3.5 Similarly, Standing Committees of the Council will only make decisions at official Committee meetings where the item to be considered is accompanied by a management report that addresses the considerations outlined in paragraph 3.6.
- 3.6 In providing advice on such matters management will ensure that accompanying reports address the significant implications arising from any proposed recommendations, such as fiscal, environmental and/or social implications. Management will strive to ensure that advice meets relevant quality standards in all cases. (See Appendix 1 for example of the quality assurance process.)

- 3.7 Matters not on the agenda will only be dealt with in accordance with section 46A, 7(A) and 7(B) of the Local Government Official Information and Meetings Act 1987. This means that minor matters relating to the general business of the Council may be discussed but not acted upon (other than by reference to a subsequent meeting) where the presiding member explains at the beginning of the meeting that the item will be discussed. Otherwise late items may only be dealt with at a meeting if the Council resolves accordingly and the presiding member explains at the meeting the reason why the item is not on the agenda and the reason why discussion cannot be delayed until a subsequent meeting. In either case the presiding member's explanation must be made at a time when the meeting is open to the public. This is reconfirmed by Standing Orders 9.12 and 9.13.
- 3.8 Elected members, management and staff agree that due notice and proper process should be followed to bring matters to the attention of the elected body. Matters should not be "sprung" into the public arena without notice as it is unlikely that a complete appreciation of the facts can be obtained or an adequate explanation can be given. Similarly, staff should not expect decisions from the elected body unless they have provided written reports with adequate time for members to consider the options for decision.
- 3.9 While the "Council" is ultimately accountable, its function is not to make detailed decisions on operational matters. Strategies that may involve both governance and management issues need to be worked through in consultation with the Chief Executive Officer.
- 3.10 Research and communication should be done prior to "Meetings" wherever possible so that all elected members are able to participate fully in debates and make informed decisions. When there is an agenda issue with which an elected member is unfamiliar it is their responsibility to inform themselves fully by staff, other elected members or their own independent research.

4. Behaviour of Members

4.1 Relationships with other members

Successful teamwork is a critical element in the success of any democratically elected organisation. No team will be effective unless mutual respect exists between members. With this in mind elected members will conduct their dealings with each other in ways that:

- maintain public confidence in the office to which they have been elected
- are open and honest
- focus on issues rather than personalities
- are not aggressive, offensive or abusive.

4.2 Relationships with staff

The effective performance of Council also requires a high level of cooperation and mutual respect between elected members and staff. To ensure that level of co-operation and trust is maintained, elected members will:

- recognise that the Chief Executive is the employer (on behalf of Council) of all Council employees, and as such only the Chief Executive may hire, dismiss, instructor censure an employee
- make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe those requirements at all times
- treat all employees with courtesy and respect
- observe any guidelines that the Chief Executive puts in place regarding contact with employees

- not do anything which compromises, or could be seen as compromising, the impartiality of an employee
- not publicly criticise the competence, integrity and personality of any employee
- raise concerns about employees only with the Chief Executive, and concerns about the Chief Executive only with the Mayor or the Chief Executive Review Committee.

Elected members should be aware that failure to observe this portion of the Code of Conduct may compromise the Council's obligation to act as a good employer and may expose the Council to civil litigation and audit sanctions.

4.3 Relationships with the community

Effective Council decision-making depends on productive relationships between elected members and the community at large.

Elected members should ensure that individual citizens are accorded respect in their dealings with Council, have their concerns listened to, and deliberated on in accordance with the requirements of the Act.

Elected members should act in a manner that encourages and values community involvement in local democracy.

5. Contact with the Media

5.1 The media plays an important part in local democracy. In order to fulfil this role, the media needs access to accurate, timely information about the affairs of Council. From time to time, individual members will be approached to comment on a particular issue either on behalf of Council or as an elected member in their own right. This part of the code deals with the rights and duties of Councillors when speaking to the media on behalf of Council, or in their own right.

1. The following rules apply for media contact on behalf of Council:

- the Mayor or Chief Executive are the first point of contact for the official view on any issue. Where the Mayor or Chief Executive are unavailable, any matters will be referred to the appropriate elected member or appropriate Team Leader
- the Mayor or Chief Executive may refer any matter to the relevant Committee chairperson or Team Leader for their comment
- no other member may comment on behalf of Council without having first obtained the approval of the Mayor unless they are clearly acting for Council and the comment reflects what has been agreed by Council.

2. Elected members are free to express a personal view in the media, at any time, provided the following rules are observed:

- Media comments must not state or imply that they represent the view of Council
- Where an elected member is making a statement that is contrary to a Council decision or Council policy, the member must not state or imply that his or her statements represent the majority Council view
- Media comments must observe the other requirements of the Code of Conduct e.g. not disclose confidential information, or compromise the impartiality or integrity of staff.

6. Confidential information

- 6.1 **Elected members** have the responsibility to see that whenever possible business is conducted in "open" meeting. Powers to exclude the public should be used only where absolutely necessary and for the reasons permitted by law. Business conducted where the public is excluded remains confidential and should not be disclosed to the public until either the Council decides by resolution to make it public or the Chief Executive determines under the Local Government Official Information and Meetings Act 1987, or the Privacy Act 1993 that there is no longer good reason to withhold it under the Act.

Subject to these Acts, any information of a confidential nature will not be communicated. It is a grave betrayal of trust to disclose information while it is confidential or use such confidential information for private gain. Where the Chief Executive determines that under the LGOIMA and the Privacy Act to release information the Elected Members should where ever possible be notified beforehand. A general introduction and explanation of LGOIMA is attached as per Appendix 4.

- 6.2 Members will receive a myriad of communications from staff, consultants and external agencies that may be for their information only to ensure they are up to date with current issues. This information, while not necessarily confidential, will have been supplied for you in your capacity as an Elected Member, not as a member of the public. That information should remain privileged unless its release has been authorised.

7. Disclosure of Pecuniary and Other Interests

- 7.1 The law makes specific provision requiring the elected member to disclose pecuniary (financial) interest. But interests that are not pecuniary can be just as important. Family connections, kinship, friendship, membership of an association, society, company or trade union, trusteeship and many other kinds of relationships can influence members' judgement and may give the impression that an elected member might be acting for personal motives. A good test is to consider whether others would think that the interest is of a kind to make it possible. If members are in doubt, disclose the interest, seek advice from the Chair or Chief Executive and if necessary withdraw from the meeting. See Appendix 3, Members Interest Register.

8. Standing Orders

- 8.1 Elected members must adhere to any standing orders adopted by Council under the Local Government Act 2002. These standing orders are subject to the same legal requirements as a Code of Conduct in regard to their adoption and amendment.

9. Ethics

- 9.1 Kaikoura District Council seeks to promote the highest standards of ethical conduct amongst its Elected Members. Accordingly, elected members will:
- claim only for legitimate expenses as laid down by any determination of the Remuneration Authority, then in force and Council Policy
 - not influence, or attempt to influence, any Council employee to take actions that may benefit the member, or the member's family or business interests

- not use Council resources for personal business (including campaigning)
- not solicit, demand, or request any gift, reward or benefit by virtue of their position
- notify the Chief Executive if any gifts are accepted in their capacity as Elected Member
- where a gift to the value of \$100 or more is offered to a member immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

10. Disqualification of Members from Office

10.1 Elected members are automatically disqualified from office if they are convicted of a criminal offence punishable by two or more years imprisonment, or if they cease to be or lose their status as an elector or of certain breaches of the Local Authorities (Members' Interests) Act 1968.

10.2 Under the Local Government Act 2002, local authorities, when adopting a Code of Conduct, must consider whether or not they will require members to declare whether they are an undischarged bankrupt. This Council believes that bankruptcy does raise questions about the soundness of a person's financial management skills and their judgement in general. The Council therefore requires elected members who are declared bankrupt to notify the Chief Executive as soon as practicable after being declared.

11. Compliance and Review

This part of deals with ensuring that Elected Members adhere to the Code of Conduct and mechanisms for the review of the Code of Conduct.

11.1 Compliance

Elected Members must not that they are bound to comply with the provisions of this Code of Conduct (Local Government Act 2002, Schedule 7, section 15(4)).

Elected Members are also bound by the Local Government Act 2002, the Local Authorities (Members' Interests) Act 1968, the Local Government Official Information and Meetings Act 1987, the Secret Commissions Act 1910, the Crimes Act 1951 and the Securities Act 1978.

The Chief Executive will ensure that an explanation of these Acts is made at the first meeting after each triennial election.

11.2 Conduct Review Committee

Compliance will be monitored by the Conduct Review Committee. This Committee will be constituted at the first ordinary meeting after the triennial elections and will consist of the Mayor, Deputy Mayor and one other person who is not an elected member or a staff member, and who has dispute resolution skills. Where any member(s) of the Review Committee is involved in a dispute/breach of the Code, they will be replaced by the Chair of (Committee to be decided).

All alleged breaches of the Code will be reported to the above Committee. Any allegation of a breach of the Code of Conduct must be made in writing, make a specific allegation of a breach of the Code of Conduct, and provide corroborating evidence where possible. The Committee will investigate the alleged breach and prepare a report for the consideration of Council.

Before beginning any investigation, the Committee will notify the Elected Member(s) in writing of the complaint and explaining when and how they will get the opportunity to put their version of events. The Council will consider the report in open meeting of Council, except where the alleged breach relates to the misuse of confidential information or could impinge on the privacy of a member of staff or the general public or elected member.

11.3 Response to Breaches of the Code

The exact nature of the action the Council may take depends on the nature of the breach and whether there are statutory provisions dealing with the breach. Where there are statutory provisions:

- breaches relating to members' interests render members liable for prosecution by the Auditor-General under the Local Authority (Member's Interests) Act 1968
- breaches which result in the Council suffering financial loss or damage may be reported on by the Auditor-General under the Local Government Act 2002, which may result in the member having to make good the loss or damage
- breaches relating to the commission of a criminal offence may leave the Elected Member liable for criminal prosecution.

In these cases the Council may refer an issue to the relevant body, any member of the public may make a complaint, or the body itself may take action of its own initiative.

Where there are no statutory provisions, the Council may take the following action:

- censure
- removal of the Elected Member from Council Committees and/or other representative type bodies
- dismissal of the Elected Member from a position as Deputy Mayor or Chair of a Committee.

A decision to apply one or more of these actions requires a Council resolution to that effect.

11.4 Review

Once adopted a Code of Conduct continues in force until amended by the Council. The Code can be amended at any time but cannot be revoked unless the Council replaces it with another Code. Once adopted amendments to the Code of Conduct require a resolution supported by 75% or more of the members of the Council present.

Policy Quality

The following guidelines will be applied as appropriate to ensure that the advice provided by Management to the Council and its Committees meets the accepted quality standards.

To the extent that they are relevant and appropriate to the particular case, the following ten tests will be applied to all work produced;

1. **Clear purpose** - papers set out clearly what is to be addressed, the background and background land status if appropriate.
2. **Flow logically** — arguments are to be set out coherently, the reader is taken logically through the arguments, all conclusions are justified and recommendations arise from the arguments in the paper.
3. **Accurate** - claims made are justifiable, facts are accurate, and references can be identified.
4. **Timely** — work is produced to agreed timelines; and delays are signalled in advance and re-negotiated; parties are given the longest possible time to provide input.
5. **Provides assessed options** — alternative options for action are identified; implications and consequences of options are explored; options are linked to strategic goals and outcomes.
6. **Reflects consultation** — work is based on good consultation practice as defined; all views are canvassed and taken into account; consultation practice includes stakeholders as well as membership and the staff (where appropriate for internal processes).
7. **Proposals practical as to implementation** — proposals put forward have been tested for workability and likelihood of being achievable in application.
8. **Material clearly presented and error free** — material is presented in a modern professional style and with a minimum of jargon.
9. **Costs/savings are identified**- both in terms of financial and social costs/savings.
10. **Release date** — no reports should be tabled at a meeting, unless a clear outline is produced in the agenda papers.

This relates to the Hearings and Applications Committee and could possibly be adopted by that Committee.

Resource Management Hearings

An important activity for Councillors is participation as members of Hearings and Applications Committee under the Resource Management Act 1991.

These hearings are in essence an aspect of administration which aims to ensure that Council's resource management and planning policies are put into effect. The District Plan outlines Council's objectives, policies and rules governing resource management. It is a responsibility of Council to promote and uphold these within the context of the principles and requirements of the Resource Management Act 1991.

As a member of a Hearings and Applications Committee, Councillors are essentially involved in 'administration' of Council policy, as expressed in the District Plan, (rather than the more usual role of establishing policy). A resource hearing is considered to be an independent assessment of an application for resource consent. These take place when development proposals cover activities which do not comply with the District Plan and which require resource consent.

As a member of a Hearings and Applications Committee there is an obligation on Councillors to:

- ❖ Complete any necessary preparatory work, which would normally include a site inspection, and reading pre- circulated material.
- ❖ Listen attentively at a public hearing.
- ❖ Act fairly to all parties.
- ❖ Ask questions for clarification and refrain from expressing personal views or making statement that could indicate predetermination or bias. (Debate on an issue occurs during the decision process which is held in 'public excluded' session at the conclusion of the hearing).
- ❖ Refrain from discussing the hearing with any affected party before and after the hearing.

The conduct of a Hearings and Applications Committee is part of the statutory process conducted under the Resource Management Act and Councillors should at all times act in a manner that brings credit to the Council and respects the principles of fairness and judicial review.

Introduction to the Local Government Official Information and Meetings Act 1987

Purpose of the Act:

The Local Government Official Information and Meetings Act 1987 (LGOIMA) has several purposes set out in Section 4. In summary, the purposes are to:

- a) provide for the availability to the public of official information held by local authorities and to promote open and public transaction of business at meetings;
- b) provide for proper access by each person to official information; and
- c) to protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.

Following the enactment of the Privacy Act 1993, LGOIMA is no longer concerned with the access to personal information about natural persons.

Access to local authority information:

Official Information means any information held by a local authority (excluding material in a library or a museum for public reference purposes or held as an agent). Information that is not recorded in readable format is not within the definition.

Any person may request a local authority to make available any specified official information that relates to a corporate person (or other non-natural person) or any other matter or thing (not being information about a natural person that amounts to personal information). Where the information relates to personal information about a natural person the request must be dealt with under the Privacy Act 1993.

In accordance with the presumption of availability, information may still be withheld if there is a good reason for withholding the information. Conclusive reasons are set out in Section 6 of the LGOIMA, and other reasons details in Section 7. Under Section 7 the reasons may apply unless the withholding is outweighed by other considerations which make it desirable in the public interest to make the information available. Included in Section 7 of the Act are reasons relating to the protection of trade secrets and avoiding unreasonable prejudice to a commercial position, avoiding serious offence to tikanga Maori, protecting information obtained under an obligation of confidence, protecting health and safety, maintaining legal professional privilege, and preventing disclosure for improper gain or advantage. Strict time limits apply to the making of decisions upon requests. Reasonable charges may be made for providing the information.

Council-controlled organisation

The provisions of the Act relating to requests for, and availability of, official information apply to council-controlled organisation as if it were a local authority. This obligation is imposed under the Local Government Act 2002, Section 74.

Local authority meetings

Part 7 of the LGOIMA covers the purposes of promoting the open and public transaction of business at meetings of local authorities, in order to enable more effective participation by the public and to promote accountability of local authority members and officials. Under Section 45 of the Act, the provisions apply to all meetings of local authorities, including meetings of any committee or sub-committee or joint committee, but do not apply to an informal or strategy meeting at which no resolutions or decisions are made. The dates of meetings are to be publicly notified, and agenda made available to persons who may consider attendance. Section 47 states that, unless otherwise provided, every meeting is to be open to the public (including news media reporters).

Exclusion of public from meetings

The grounds for excluding the public from a meeting are similar to those in respect of withholding official information, except that the ground of maintaining free and frank expression of opinions by members does not apply to enable exclusion of the public from meetings. However the public may be excluded where a local authority wishes to deliberate in private on a decision against which a right of appeal lies to any court or tribunal (s48(1)(d)). Where the public are excluded, the reason for passing the resolution should be stated in brief. However, the resolution may allow for one or more persons to remain (e.g. officers and legal adviser), provided it states that the knowledge possessed by those persons will be of assistance to the local authority. Powers are given to the chairperson to maintain order at a meeting and to exclude a person causing prejudice to the orderly conduct of the meeting, Section 50.

Privacy Act relationship

The Privacy Act 1993 applies to every request by a person for personal information relating to a natural person. Under the Privacy Act, the grounds for withholding information are provided for a series of principles rather than specific stated grounds. Generally, a person is entitled to see all information held about them, and has a right to seek correction of the information. An exception may apply allowing the withholding of the source of information alleging a possible offence or wrong. The grounds for withholding information relate primarily to requests from other persons for the information. Under Principle 11, the disclosure should be for a purpose in connection with which the information was obtained, or disclosure may be desirable to avoid prejudice to the maintenance of the law, or to prevent serious and imminent threat to public health or public safety, or to the life or health of the individual concerned or another individual. In relation to information held on public registers, separate privacy principles also apply to regulate the appropriate disclosure of this information to trade users in particular. Where information is not disclosed, or a concern arises, the matter can be referred to the Privacy Commissioner for a recommendation.