

Decision No. 22/2000

Reference No. CRT 22/00

IN THE MATTER of the Privacy Act 1993

BETWEEN ANTOINETTE LOUISE  
BARTKUS

Plaintiff

AND PARRY FIELD AND CO

Defendant

BEFORE THE COMPLAINTS REVIEW TRIBUNAL

S C Bathgate - Chairperson  
P McDonald - Member  
J McIntyre - Member

DECISION STRIKING OUT PROCEEDINGS

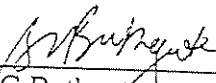
The plaintiff in these proceedings has alleged that the defendant committed breaches of the Privacy Act in that it failed to provide access to personal information about her. The defendant's position is that the information sought is contained on a file which has been mislaid. The defendant is therefore unable to provide access to the information sought. It relies on s. 29(2)(b) Privacy Act (the information cannot be found).

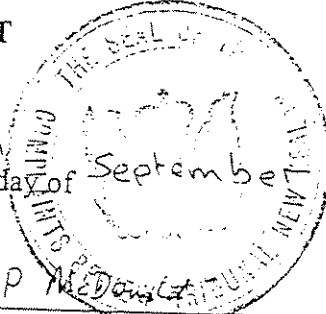
The parties have been asked to answer a series of questions put to them by the Tribunal. Answers to those questions have now been received. The Tribunal is now satisfied that the information sought is on a file which has been mislaid. It is therefore information which cannot be found. Under these circumstances there is no point in continuing these proceedings. This proceeding is therefore struck out.

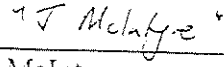
PROCEEDING STRUCK OUT

Costs Reserved

DATED at Wellington this 13<sup>th</sup> day of September 2000

  
\_\_\_\_\_  
S/C Bathgate  
Chairperson

  
\_\_\_\_\_  
P McDonald  
Member

  
\_\_\_\_\_  
J McIntyre  
Member