FIFTH SCHEDULE

Section 21(2)

EXCEPTIONS FROM ACCESS REQUIREMENT

1. An organisation is not required to provide information under section 21(1) in respect of —

(*a*) opinion data kept solely for an evaluative purpose;

(*b*) any examination conducted by an education institution, examination scripts and, prior to the release of examination results, examination results;

(*c*) the personal data of the beneficiaries of a private trust kept solely for the purpose of administering the trust;

(*d*) personal data kept by an arbitral institution or a mediation centre solely for the purposes of arbitration or mediation proceedings administered by the arbitral institution or mediation centre;

(*e*) a document related to a prosecution if all proceedings related to the prosecution have not been completed;

(*f*) personal data which is subject to legal privilege;

(*g*) personal data which, if disclosed, would reveal confidential commercial information that could, in the opinion of a reasonable person, harm the competitive position of the organisation;

(*h*) personal data collected, used or disclosed without consent, under paragraph 1(*e*) of the Second Schedule, paragraph 1(*e*) of the Third Schedule or paragraph 1(*f*) of the Fourth Schedule, respectively, for the purposes of an investigation if the investigation and associated proceedings and appeals have not been completed;

(*i*) the personal data was collected or created by a mediator or arbitrator in the conduct of a mediation or arbitration for which he was appointed to act —

(i) under a collective agreement under the Industrial Relations Act (Cap. 136) or by agreement between the parties to the mediation or arbitration;

(ii) under any written law; or

(iii) by a court, arbitral institution or mediation centre; or

(*j*) any request —

(i) that would unreasonably interfere with the operations of the organisation because of the repetitious or systematic nature of the requests;

(ii) if the burden or expense of providing access would be unreasonable to the organisation or disproportionate to the individual's interests;

(iii) for information that does not exist or cannot be found;

(iv) for information that is trivial; or

(v) that is otherwise frivolous or vexatious.