**Request for interested party’s opinion**

Dear Mr/Ms <naam>,

<Naam bestuursorgaan> has received an application for information on the basis of the Open Government Act (referred to below as: ‘the WOO’). This application concerns information about you or your organisation. More specifically, the application relates to disclosure of documents about <onderwerp verzoek>. <afkorting departement> is considering disclosing some or all of the information to the public.

I am giving you the opportunity to express your opinion about my intention to disclose the documents included in the appendix to the public. You can submit your opinion and reasons to me in writing about the intended disclosure of the enclosed documents within <*termijn*: \*\* days/weeks/months> after you receive this message, in other words, by <datum> at the latest. You should indicate clearly which documents, page numbers and passages your remarks relate to.

Please send your opinion to <contactgegevens>. If I have not received a response from you by the deadline, I will assume that you do not object to the information being disclosed.

Please note the following:

* Firstly, your opinion can lead to a refusal to disclose some or all of the information only if your objection qualifies as a ground for refusal under section 5.1 or 5.2 of the WOO (see appendix). <Naam bestuursorgaan> will make the final decision on whether or not to disclose the information. Your opinion will, of course, be taken into account when the interests involved are considered.
* Secondly, it is important for you to know that the information will become available to the public after the decision is sent to the applicant.

For more information (in Dutch) about the procedure for applying for information under the Open Government Act, visit visit <https://business.gov.nl/regulation/freedom-of-information/>.

I hope that the information I have provided is sufficient. If you would like to contact this ministry before you submit your opinion, you can contact us by sending an email to [woo@minbuza.nl](mailto:WOO@minbuza.nl).

Yours sincerely,

Legal officer

Legal Affairs Department / Dutch Law Division – Open Government Act

**Appendix 1: Sections 5.1 and 5.2 of the Open Government Act.**

Section 5.1. Exceptions

1. Disclosure of information pursuant to this Act does not take place in so far as:

a. this might endanger the unity of the Crown;

b. this might damage the security of the State;

c. the data concerned relates to companies and manufacturing processes and was furnished to the government in confidence by natural or legal persons;

d. it concerns personal data within the meaning of division 3.1 or division 3.2 of the General Data Protection Regulation (Implementation) Act, unless the data subject has explicitly consented to disclosure of this personal data or this personal data has manifestly been made public by the data subject;

e. it concerns national identification numbers that have been prescribed by Act of Parliament or order in council as referred to in section 46 of the General Data Protection Regulation (Implementation) Act, unless provision manifestly does not constitute a breach of privacy.

2. Disclosure of information also does not take place in so far as the interest in disclosure does not outweigh the following interests:

a. the Netherlands’ relations with other countries and states and with international organisations;

b. the economic and financial interests of the State, other bodies constituted under public law or administrative authorities, in the case of environmental information only in so far as the information concerns proceedings of a confidential nature;

c. the investigation of criminal offences and the prosecution of offenders;

d. inspection, control and oversight by administrative authorities;

e. respect for personal privacy;

f. the protection of data related to companies and manufacturing processes other than the data listed in subsection 1 (c);

g. the protection of the environment to which this information relates;

h. the security of individuals and companies and the prevention of sabotage;

i. the effective functioning of the State, other bodies constituted under public law or administrative authorities.

3. If an application for disclosure is denied on one of the grounds listed in subsection 2, the decision must explicitly state the reasons for denying the application.

4. Disclosure may be delayed temporarily if this is manifestly required by the importance to the addressee of being the first to learn of the information. The administrative authority must notify the applicant of the time limit within which disclosure will take place.

5. In exceptional cases disclosure of information other than environmental information may also not take place if disclosure would disproportionately disadvantage another interest than those listed in subsections 1 and 2 and this disadvantage is not outweighed by the public interest in public access. The administrative authority must not base a decision not to disclose information on this ground while also, with regard the same information, basing it on one of the grounds listed in subsections 1 or 2.

6. Notwithstanding subsection 1 (c), in the case of environmental information, information is also not disclosed in so far as disclosure would seriously harm the interest referred to in subsection 1 (c) and the public interest in disclosing information does not outweigh such harm.

7. Subsections 1 and 2 do not apply to environmental information that relates to emissions into the environment.

Section 5.2. Personal opinions on policy

1. Where an application concerns information contained in documents drawn up for the purpose of internal consultation, no information is to be provided concerning personal opinions on policy contained therein. Personal policy opinions are defined as civil service recommendations, visions, positions and considerations for the purpose of internal consultation which do not consist of facts, forecasts, policy alternatives, the consequences of a particular policy alternative or other judgments of a predominantly objective nature.

2. The administrative authority may provide information on personal opinions on policy, in the interests of effective, democratic governance, in a form that cannot be traced back to any individual. If those who expressed the opinions in question or who supported them agree, information may be provided in a form that may be traced back to individuals.

3. Without prejudice to subsections 1 and 2, information from documents drawn up for the purpose of formal administrative decision-making by a minister, a King’s Commissioner, provincial executive, a provincial executive member, the municipal executive, a mayor and a municipal executive member concerning personal opinions on policy is to be provided in a form that cannot be traced back to any individual, unless this would disproportionately harm the ability to conduct internal consultations.

4. Notwithstanding subsection 1, in the case of environmental information the interest of protecting personal opinions on policy is to be weighed against the interest of disclosure. Information concerning personal opinions on policy may be provided in a form that cannot be traced back to any individual. If those who expressed the opinions in question or who supported them agree, information may be provided in a form that may be traced back to individuals.

AVT/BZ-230317-008E