

1979 WL 43058 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 8, 1979

***1 RE: Freedom of Information Act**

Mr. John F. Barry
Deputy Director
S.C. Aeronautics Commission
Box 1769
Columbia, SC 29202

Dear Mr. Barry:

Your letter of May 30, 1979, to Victor S. Evans, Deputy Attorney General, has been forwarded to me for reply. You asked whether the Freedom of Information Act prohibits release of information on aircraft which is obtained from the aircraft owner by his registration with the State of South Carolina.

The South Carolina Freedom of Information Act, South Carolina Code of Laws, 1976, as amended, Sections 30-4-10, et seq., govern those matters which a State agency may refuse to make public, if it wishes. The Act itself does not prohibit the disclosure of any particular information. Section 30-4-40 lists those items which an agency may refuse to disclose. The documents you describe seem to fall under no particular category of exemption, with the possible exception of Section 30-4-40(a)(2) which permits an agency to refuse to disclose information of a personal nature where the public disclosure would constitute unreasonable invasion of personal privacy, including but not limited to, information as to gross receipts contained in applications for business licenses. The general category of information which is supplied to you by an aircraft owner seeking registration with the State would not seem to fall within the definition of an unreasonable invasion of personal privacy. Therefore, unless the Commission feels that it is against the public interest to disclose such information, it would appear that such information would have to be provided to members of the public who inquire.

In making this response, the observations made are of a general nature. Your inquiry did not indicate the precise nature of the information contained in an application for a registration. If such an application did include information of a highly personal nature, such as a prior criminal record or financial information, such matters would constitute an invasion of privacy and should not be disclosed.

I hope this has been of some assistance to you. If you have any further questions, please do not hesitate to contact me.

Very truly yours,

Katherine W. Hill
Assistant Attorney General

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