



INQUIRY INTO THE ELECTORAL AND REFERENDUM AMENDMENT (PROTECTING ELECTOR PARTICIPATION) BILL 2012

I refer to the public hearing of the Joint Standing Committee on Electoral Matters (the Committee) on 29 February 2012 at which the Australian Electoral Commission (AEC) was asked to provide the Committee with some additional information. The following information is provided in response to those requests.

Discussion and consultation regarding direct enrolment

At page 7 of the Proof Hansard, the AEC undertook to provide information regarding discussion of direct enrolment processes by the Committee.

Ms RISHWORTH — I just want to pick up on a comment that Dr Clarke made, and there seems to be some disagreement between Professor Costar and the Electoral Commission about consultation regarding this principle. Perhaps the Electoral Commission could elaborate on the consultation they went through and respond to Dr Clarke's accusation that there was no consultation.

Mr Killesteyn — I can talk generally about it. The issue of automatic or direct enrolment has been a topic of some discussion for at least the last decade. It has been put before joint standing committees on electoral matters over that time in almost all of its inquiries into the conduct of federal elections. In the inquiry after the 2004 election it asked the commission for a specific submission on it. All of those submissions have obviously been public and have been made public for others to comment on. It has been raised in the context of the 2007 inquiry into the conduct of that election by the Joint Standing Committee on Electoral Matters as well as the 2010 election inquiry. I can provide details of that, on notice, if you wish.

CHAIR — Thank you.

AEC Response

In the time available, transcripts, submissions and reports of the Committee from 1999 to 2006 were examined to find where views explicitly addressing direct enrolment processes had been provided by the Committee, the AEC, the national executive of the major federal political parties, and the office of the Privacy Commissioner. A table providing this information is at **Attachment A**.

As noted in evidence before the Committee's public hearing of 29 February 2012, direct enrolment processes have been considered in-depth by the Committee:

- as part of its inquiry and report into the 2007 federal election;
- as part of its inquiry and report into the NSW direct enrolment legislation in late 2009 and early 2010; and
- as part of its inquiry and report into the 2010 federal election.

A table outlining relevant submissions and evidence by the AEC, and discussion by the Committee at these hearings, is provided at **Attachment B**.

In addition, "universal automatic enrolment to vote, voting for all Australians over the age of 18 years and automatic re-enrolment of eligible voters" was one of the 'top ideas' of the Governance stream of the Australia 2020 Summit, held in April 2008.

Public views on direct enrolment were also specifically sought in public consultation in respect of the Government's second electoral reform green paper, released in September 2009. Public views were provided in submissions and through an online discussion forum, and are available from the website of the Department of the Prime Minister and Cabinet, at http://www.dpmc.gov.au/consultation/elect_reform/index.cfm.

Consultation regarding privacy issues

In relation to privacy issues that arose during the drafting of the Bill, the AEC consulted with staff of the Office of the Australian Information Commissioner (OAIC) and the privacy policy area of the Attorney-Generals' Department (AGD). The AEC did not consult the Australian Privacy Foundation (APF) or other non-government civil liberties organisations. As non-government organisations, it is not appropriate that these organisations be involved in confidential consultations regarding proposed legislation. However, the AEC's Chief Legal Officer, Mr Paul Pirani, contacted Mr Nigel Waters of the APF late last year to provide a high level outline of the implications of the relevant Committee recommendations.

A Privacy Impact Assessment (PIA) has been drafted in respect of the proposed amendments and is provided at **Attachment C**. The development of the PIA assisted the AEC to identify and manage possible privacy impacts of the proposed direct enrolment process, and to articulate how direct enrolment processes will comply with privacy law. In drafting the PIA the AEC consulted with the OAIC, the privacy policy area of AGD, the Department of Finance and Deregulation, and the Department of the Prime Minister and Cabinet.

Silent electors

At page 13 of the Proof Hansard, Mr Griffin asked the AEC was if there were any statistics regarding applications for 'silent elector' status that were rejected, or if there was any evidence that rejections occur.

Mr GRIFFIN — Are there any stats on people being knocked back for it or any evidence that that occurs?

Mr Killesteyn — I do not have them with me but I can take that on notice.

AEC Response

Over the last 12 months the AEC considered 5 016 applications from electors wishing to become silent electors. Of these the AEC rejected 140 applications for silent elector status.

Applications are rejected for a number of reasons broadly divided into two categories:

- (a) applications that have failed to satisfy the technical requirements of the *Commonwealth Electoral Act 1918*, for example, a failure to provide compliant application forms despite AEC follow up; and
- (b) electors who have failed to satisfy the test of s104(2)(b) of the *Commonwealth Electoral Act 1918*, that is "the person considers that having his or her address so shown places the personal safety of the person or of members of his or her family at risk".

A person whose request for registration as a silent elector is rejected may request a review of the decision.

I trust that the above information is of assistance to the Committee.

Yours sincerely 

Tom Rogers
Acting Electoral Commissioner

9 March 2012



Attachment A

Table A1 - Evidence to the Joint Standing Committee on Electoral Matters that explicitly addressed direct enrolment processes, 1999 to 2006.

Date	JSCEM reference	Source	Process discussed	Selected extract
19 October 1999	Official Committee Hansard, JSCEM, Conduct of the 1998 federal election.	AEC evidence to public hearing. Mr Paul Dacey, Assistant Commissioner, Elections and Enrolment, p. EM433.	Direct address change	<p>Mr Dacey— [...] What we would like to do eventually—it is something we will perhaps put before this committee at a later stage—is look at the possibility of direct address change. If we currently get notification of an address change through an agency such as Centrelink, we then have to write to that elector and say, 'You have changed your address with Centrelink. Here is an enrolment form, would you like to change your address with the AEC?' What we think would be ideal is if that address change with Centrelink, for example, could also trigger an address change with us without having to go back to that elector.</p> <p>We would advise the elector, 'Yes, we have changed your address on the roll,' but we do not see—we would need legislative change and there are privacy issues to consider—it should be necessary for us to go back and say, 'Here is a form; fill it out,' because that elector has already changed their address with an agency who has strict proof of identity requirements so that we know that elector is in fact a bona fide person.</p>
17 October 2000	JSCEM, Inquiry into the integrity of the electoral roll, Submission 26.	AEC, Submission 26, paragraphs 11.4.5- to 11.4.6 and Attachment	Direct address change	11.4.5 An extension of the CRU program that is under consideration by the Electoral Council of Australia (ECA) is direct address change. This is a process whereby the address of a current elector could be changed without the completion of an enrolment card if the AEC received information from another

Date	JSCEM reference	Source	Process discussed	Selected extract
		27.		<p>agency that the elector has advised a change of address. Of course, a complete match of all necessary details would be necessary before the enrolment change was made to RMANS. The elector would then receive an enrolment acknowledgment card from the AEC advising them of their new enrolment details.</p> <p>11.4.6 This direct enrolment proposal is modelled on the Canadian approach to CRU. [...] The Canadian electoral authorities now draw data from the Tax Office, BDM Registrars and Motor Vehicle Registries to populate the electoral roll. Direct address change has many benefits in the Australian context and detailed proposals for implementation are being developed (Attachment 27).</p>
17 June 2002	Official Committee Hansard, JSCEM, Review of Audit Report No. 42 of 2001-02, Integrity of the Electoral Roll.	AEC evidence to public hearing. Mr Paul Dacey, Deputy Electoral Commissioner, pp. EM24 and EM25.	Direct address change	<p>CHAIR—Mr Dacey, the ANAO report mentions automatic roll upgrades.</p> <p>Mr Dacey—That is correct, automatic addresses changed.</p> <p>CHAIR—No. This is where it is done without reference to the individual. I have forgotten the term.</p> <p>Mr Dacey—Direct address change.</p> <p>CHAIR—Is the commission interested in a measure like that?</p> <p>Mr Dacey—We certainly are. We will be following that up with the joint standing committee. To give you an example, if we have information from a trusted authority—and assuming Centrelink is a trusted authority—and, using myself as an example, Paul Dacey has changed his address and we already have Paul Dacey on the electoral roll for his old address, one possibility could be—and it could lead to significant savings for</p>

Date	JSCEM reference	Source	Process discussed	Selected extract
				<p>the AEC—that the AEC transferred Paul Dacey to the new address and sent him a card to say, ‘We have now transferred you to your new address,’ rather than sending him out a card asking him to change his address, get it back and then send him an acknowledgment card. That is in a very crude form. We would have to investigate it further. However, given that the majority of the changes to the electoral roll are changes of address, there certainly is potential for significant savings if we adopt that sort of system.</p>
July 2002	JSCEM, Inquiry into the 2001 Federal Election, Submission 153.	Australian Labor Party (ALP), Submission 153.	Direct address change	<p><u>The AEC’s “Direct Address Change” proposal</u></p> <p>“Direct address change” (DAC) was discussed by the AEC in its 17 October 2000 submission to the JSCEM Inquiry into the Integrity of the Electoral Roll.</p> <p>[...]</p> <p>ALP recommendations – integrity of the electoral roll</p> <p>[...]</p> <p>17. That the AEC be requested to prepare a report for JSCEM on enrolment through <i>direct address change</i> (i.e. receiving enrolment data from government agencies, without seeking a specifically signed elector form). The report should cover issues of feasibility, cost, security, suitable government agencies, privacy, consultative processes and legislative and regulatory requirements.</p>
20 September 2002	Official Committee Hansard, JSCEM, Inquiry	ALP evidence to public hearing. Mr Geoffrey Walsh, National	Direct address change	<p>CHAIR—I would like to pursue the point about the AEC’s direct address change proposal which you seem to be in favour of. Do you have any problems with people being changed from one electorate to another without any direct involvement on the</p>

Date	JSCEM reference	Source	Process discussed	Selected extract
	into the 2001 Federal Election.	Secretary and Mr Timothy Gartrell, Assistant National Secretary, pp. EM142 and EM143.		<p>part of the person who is being changed? This proposal says that, if you have a change on one of the databases, you are changed automatically.</p> <p>Mr Gartrell—As I understand it, you would tick a box, but you would still have to sign. For example, if you move in the ACT, they provide several boxes for you to tick. You would still sign a declaration that all those things were correct. That is my understanding.</p> <p>Mr DANBY—You are saying that the electoral aspect of that would be incorporated with other change of services—</p> <p>Mr Gartrell—Yes, into that verification.</p> <p>Mr DANBY—to the one address and that you would sign a declaration covering the whole lot?</p> <p>Mr Gartrell—Yes. You are still verifying that you agree to those changes but you are ticking boxes—gas, telephone.</p> <p>CHAIR—So that is an essential part of what you understand to be the proposed change?</p> <p>Mr Gartrell—Yes.</p> <p>CHAIR—Because that is not my understanding, but so long as I understand where you are coming from.</p> <p>Mr Walsh—We have given an example.</p> <p>CHAIR—[...]Can we come back to you on some of the issues which are not contentious and get some more information on the overseas contributions and the direct change of address? I would like to come back to you on it because my understanding</p>

Date	JSCEM reference	Source	Process discussed	Selected extract
				is not quite the same as yours.
November 2002	JSCEM, <i>The Integrity of the Electoral Roll Report: Review of ANAO Report No. 42 2001-02, Integrity of the Electoral Roll.</i>	JSCEM, Inquiry report.	Direct address change	<p>3.54 The ANAO identified automatic roll updating (known as Direct Address Change) as a mechanism capable of increasing the efficiency of the CRU process. The ANAO also suggested that automatic roll updating could be used to reduce enrolment fraud in the Australian electoral system. Automatic roll updating involves the cross matching of the Electoral Roll to high quality data sources, where the authority originally receiving the change of address information has already verified the identity of the elector providing the information.</p> <p>[...]</p> <p>3.58 The Committee acknowledges that automatic roll updating provides a means of streamlining CRU. However, it sees potential for inaccurate outcomes if the elector is not directly involved in the process. In this context, as it indicated at the public hearing on 17 June, the Committee has reservations about automatic roll updating, and considers that the AEC should give this careful consideration.</p>
8 November 2002	JSCEM, Inquiry into the 2001 Federal Election, Submission 174.	AEC, Submission 174, pp.47-48.	Direct address change	<p>31.19 The ALP also discusses the prospect of direct address change for enrolment.</p> <p>31.20 Direct address change was proposed as part of the revision of the Victorian electoral legislation earlier this year, but did not survive the passage through parliament. The proposal would have provided the VEC the discretion to use authoritative information received from trusted government sources and from electors themselves to update the electoral register without the need for the elector to return a completed enrolment form. The VEC would have written to all electors</p>

Date	JSCEM reference	Source	Process discussed	Selected extract
				<p>whose details have been changed in this manner, enabling any electors whose details were incorrect to alert the VEC.</p> <p>31.21 An example of such authoritative information is the change of address notifications received from voters in postal municipal elections. These notifications include the voters' enrolment details, including date of birth, and are signed by the voters. The voters would expect that such information would be used to update their enrolment, instead of having to fill out another form to enrol for their new address.</p> <p>31.22 Another group that would benefit from such a proposed change are elderly and infirm people who take up permanent residence in an assisted care facility. In many cases, such people do not change their enrolment from their former residential address, and during an election, are issued with absent ballot papers if their enrolled address is outside the electorate where the assisted care facility is located. It is very stressful to elderly people to be queried by electoral officials regarding where they may be enrolled.</p> <p>31.23 The AEC supports this proposal and can see some efficiencies in processing enrolments if it were to be introduced for Commonwealth purposes. Again it would require complementary State legislation if the single enrolment form were to be used for both State and Commonwealth purposes.</p>
December 2002	JSCEM, Inquiry into the 2001 Federal Election, Submission 179.	ALP, Submission 179.	Direct address change	<p><u>3. Direct Address Change</u></p> <p>The ALP reiterates its support for a detailed report from the AEC on the of direct address change. Only once the administrative issues have been examined can the workability</p>

Date	JSCEM reference	Source	Process discussed	Selected extract
				of direct address change be ascertained.
24 April 2003	JSCEM, Inquiry into the 2001 Federal Election, Submission 198.	AEC, Submission 198, p. 13-14.	Direct address change	<p>[...]</p> <p>3.28 It should be noted at the outset that procedures for direct address change have not been developed. However, if the JSCEM were considering direct address change, the AEC proposes that a complete match of all necessary details with a trusted agency will be required before any enrolment details were changed.</p> <p>3.29 Once the complete match had been achieved, the enrolment details would be changed and an acknowledgement card, advising the elector of the direct enrolment change, would be posted to the elector. If the card was not delivered it is highly likely it would be returned to the AEC. In these circumstances all returned mail would be investigated as to the reason why the acknowledgement was not delivered. The investigation would then determine the next course of action.</p> <p>3.30 At this stage, the AEC has not identified the agencies that could be used as trusted agencies for the purposes of direct address change. The AEC is aware that some people do not necessarily have their residential address recorded with every agency. For example, some young drivers retain their parent's address for their licence and motor vehicle registration. The AEC would be cautious in developing the list of trusted agencies to overcome problems of this sort.</p>
June 2003	JSCEM, <i>The 2001 Federal Election: Report of the Inquiry into</i>	JSCEM, Inquiry report, pp. 27-28, 32.	Direct address change.	<p>[AEC note: JSCEM summary of ALP and AEC submissions are provided at paragraphs 2.57 to 2.60 on pages 27-28.]</p> <p><u>Committee views and recommendations</u></p>

Date	JSCEM reference	Source	Process discussed	Selected extract
	<i>the conduct of the 2001 Federal Election, and matters related thereto.</i>			<p>[...]</p> <p>2.68 Proposals put to the inquiry which are not covered specifically by existing Committee recommendations include:</p> <p>[...]The ALP suggestion that the AEC report to the Committee on the feasibility of implementing direct address change.</p> <p>[...]</p> <p>2.69 The Committee's views on these issues are as follows:</p> <p>[...]Direct address change systems contain an inherent potential for inaccurate outcomes, when the elector is not directly involved in the process and, as noted by the Committee, should only be contemplated after careful consideration by the AEC.</p>
15 April 2005	JSCEM, Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto, Submission 136.	Australian Labor Party (ALP), Submission 136, p. 10.	Direct address change.	<p>[AEC note: Text substantially the same as that provided in submission 153 to JSCEM's Inquiry into the 2001 Federal Election.]</p> <p>Rec. 20. That the AEC prepare a report for JSCEM on enrolment through <i>direct address change</i> (i.e. receiving enrolment data from government agencies, without seeking a specially signed elector form). The report should cover issues of feasibility, cost, security, suitable government agencies, privacy, consultative processes, and legislative and regulatory requirements.</p>
September 2005	JSCEM, <i>The 2004 Federal Election: Report of the Inquiry into</i>	JSCEM, Inquiry report, pp. 45-46.	Direct address change	2.161 The Committee notes the ALP's assertion that CRU might be improved by the incorporation of Direct Address Change and notes that this matter has been brought before previous Committee Inquiries.

Date	JSCEM reference	Source	Process discussed	Selected extract
	<i>the Conduct of the 2004 Federal Election and Matters Related Thereto.</i>			<p>2.162 The Committee considers that the AEC is best placed to undertake a detailed consideration of this matter and report its findings to the Committee for further, more detailed investigation.</p> <p>Recommendation 6</p> <p>2.163 The Committee recommends that:</p> <p>[...]</p> <p>the AEC consider and report on the implications of the Direct Address Change proposal (contained in Submission No. 136) and provide a detailed report to the Committee on its findings by the end of 2005.</p>

Attachment B

Table B1 - Submissions and evidence from the AEC, and discussion by the Joint Standing Committee on Electoral Matters (JSCEM) that explicitly addressed direct enrolment processes, 2007 to July 2011.

Date	Reference	Source / Witness	Notes
<i>Inquiry into the 2007 Federal Election**</i>			
20 June 2008	Inquiry into the 2007 Federal Election.	AEC, Submission 169.	Section 6.3 - Direct address update from government sources (pp. 75-76).
23 July 2008	Conduct of the 2007 federal election and matters related thereto.	Proof Committee Hansard. Mr Brett Solomon, Executive Director, GetUp! and Mr Samuel McLean, Grassroots Campaigner, GetUp!	Automatic enrolment (EM68-73, EM84, EM89-90).
23 July 2008	Conduct of the 2007 federal election and matters related thereto.	Proof Committee Hansard. Mr Chris Maltby, Registered Officer, The Greens New South Wales and Ms Lesa de Leau, Campaign Director, The Greens New South Wales.	Automatic enrolment (EM105-106).
24 July 2008	Conduct of the 2007 federal election and matters related thereto.	Official Committee Hansard. Mr Ivan Freys.	Automatic enrolment (EM22-25, EM34).
24 July 2008	Conduct of the 2007 federal election and matters related thereto.	Official Committee Hansard. Ms Elizabeth Larbalestier, Secretary, NSW Young Labor and Mr Christopher Parkin, President, NSW Young Labor.	Automatic enrolment (EM64-65).
6 August 2008	Conduct of the 2007 federal election and matters related thereto.	Official Committee Hansard. Ms Anne Bright, State Manager and Australian Electoral Officer for Queensland, AEC and Mr Tim Pickering, First Assistant Commissioner, Electoral Operations, AEC.	Automatic enrolment (EM40-42).
6 August 2008	Conduct of the 2007 federal election and matters related	Official Committee Hansard. Mr David Kerslake.	Automatic enrolment (EM57).

Date	Reference	Source / Witness	Notes
	thereto.		
11 August 2008	Conduct of the 2007 federal election and matters related thereto.	Official Committee Hansard. Ms Caroline Adler, Manager and Principal Lawyer, PILCH Homeless Persons' Legal Clinic.	Automatic enrolment (EM71-72).
20 August 2008	Conduct of the 2007 federal election and matters related thereto.	Official Committee Hansard. State Manager and Australian Electoral Officer for South Australia.	Automatic enrolment (EM13-14).
20 August 2008	Conduct of the 2007 federal election and matters related thereto.	Official Committee Hansard. Mr Deane Crabb, Secretary, Electoral Reform Society of South Australia.	Automatic enrolment (EM20).
20 August 2008	Conduct of the 2007 federal election and matters related thereto.	Official Committee Hansard. Dr Kathy Edwards.	Automatic enrolment (EM46-47).
21 August 2008	Conduct of the 2007 federal election and matters related thereto.	Proof Committee Hansard. Ms Diana MacTiernan, Member of Administrative Working Group, Greens WA.	Automatic enrolment (EM32).
21 August 2008	Conduct of the 2007 federal election and matters related thereto.	Proof Committee Hansard. Mr Denis O'Sullivan, Chairman Western Australian Committee, Council for the National Interest, Western Australian Branch.	Automatic enrolment (EM55-56).
** Hansard of the JSCEM private meeting of 1 September 2008 was not examined.			
15 September 2008	Inquiry into the 2007 Federal Election.	AEC, Submission 169.1, Annex 8.	Discussion paper on direct address update (pp. 146-161).
17 October 2008	Conduct of the 2007 federal election and matters related thereto.	Official Committee Hansard. Mr Paul Dacey, Acting Electoral Commissioner, AEC.	Direct update of enrolment address (EM2-3).
11 November 2008	Conduct of the 2007 federal election and matters related thereto.	Proof Committee Hansard. Mr Karl Bitar, National Secretary, ALP National Secretariat.	Automatic enrolment (EM2-3, EM12, EM14).
2 December 2008	Conduct of the 2007 federal election and matters related	Proof Committee Hansard. Mr Brian Loughnane, Federal Director, Liberal Party of	Automatic enrolment (EM16-17).

Date	Reference	Source / Witness	Notes
	thereto.	Australia.	
3 February 2009	Conduct of the 2007 federal election and matters related thereto.	Official Committee Hansard. Mr Brad Henderson, Federal Director, the Nationals.	Automatic enrolment (EM13-14).
17 March 2009	Inquiry into the 2007 Federal Election.	Official Committee Hansard. Mr Ed Killesteyn, Electoral Commissioner, AEC and Mr Paul Dacey, Deputy Electoral Commissioner, AEC.	Direct update of enrolment (EM5, EM7-10).
1 May 2009	Inquiry into the 2007 Federal Election.	AEC, Submission 169.17.	Options for electronic enrolment (pp. 2-7).
11 May 2009	Inquiry into the 2007 Federal Election.	Official Committee Hansard. Mr Paul Dacey, Acting Electoral Commissioner, AEC and Ms Kathy Mitchell, Acting Assistant Commissioner, Communication and Information Strategy, AEC.	Automatic update (EM28). Automatic enrolment of new citizens (EM29).
June 2009	<i>JSCEM, Report on the conduct of the 2007 federal election and matters related thereto.</i>	JSCEM, Inquiry report.	Discussion in Chapter 4 – Maintaining an effective electoral roll (particularly pp. 102-10, 113-116). Recommendation 10 proposed a process for direct update of enrolment details (p. 114 refers). Recommendation 11 proposed a process for direct provisional enrolment for persons applying to become Australian citizens (p. 116 refers).
<p>In addition, the inquiry received other submissions which discussed direct enrolment and/or direct update of enrolment. Relevant submissions included* the following.</p> <p>45. Democratic Audit of Australia 77. Dr Sally Young 79. Mr Peter Brent</p>			

Date	Reference	Source / Witness	Notes
94. Electoral Reform Society of South Australia *Note. The above list should not be considered definitive.			
<i>Inquiry into the NSW Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Bill 2009</i>			
22 January 2010	Inquiry into the NSW Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Bill 2009.	AEC Submission 2.	Electoral rolls and enrolment processes (pp. 4-13). Consequences of the NSW Parliamentary Electorates and Elections (Automatic Enrolment) Act 2009 (pp.14-18).
2 February 2010	Implications of the New South Wales Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Bill 2009.	Official Committee Hansard. Witnesses: <ul style="list-style-type: none"> • Mr Colin Barry, Electoral Commissioner, • New South Wales Electoral Commission • Mr Paul Bereen, Director, Enrolment, New South Wales Electoral Commission • Dr Peter Brent, Researcher, Democratic Audit of Australia • Mr Paul Dacey, Deputy Electoral Commissioner, AEC • Mr Ed Killesteyn, Electoral Commissioner, AEC • Mr Boguslaw (Bogey) Musidlak, President, Proportional Representation Society of Australia 	
February 2010	Inquiry into the NSW Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Bill 2009.	AEC, Submission 2.1.	Automatic enrolment (pp. 3-4 and 7).
25 February 2010	JSCEM, <i>Inquiry into the implications of the Parliamentary Electorates and</i>	JSCEM, Inquiry report.	Recommendation 1 proposed a process for automatic enrolment (p. 22 refers).

Date	Reference	Source / Witness	Notes
	Elections Amendment (Automatic Enrolment) Act 2009 (NSW) for the conduct of Commonwealth elections.		
<p>In addition, the inquiry received four other submissions that discussed the NSW Automatic Enrolment Bill, numbered as follows.</p> <ol style="list-style-type: none"> 1. United Nations Youth Association of Australia 3. The Electoral Reform Society of South Australia 4. Democratic Audit of Australia 5. Proportional Representation Society of Australia 			
<i>Inquiry into the conduct of the 2010 Federal Election and matters related thereto</i>			
21 February 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	AEC, Submission 87.	NSW automatic enrolment and automatic update arrangements (pp. 45-47). Victorian automatic enrolment arrangements (pp. 48-49). Direct update (pp. 54-56). Direct enrolment (pp. 56-58).
2 March 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	Proof Committee Hansard. Mr Antony Green.	Automatic enrolment (EM1, EM3-12).
4 March 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	Proof Committee Hansard. Mr Ed Killesteyn, Electoral Commissioner, AEC.	Automatic enrolment (EM23-30).
4 March 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	Proof Committee Hansard. Dr Peter Brent, Member, Democratic Audit of Australia and Professor Brian Costar, Coordinator, Democratic Audit of Australia.	Automatic enrolment (EM54-65).
23 March 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	Proof Committee Hansard. Mr Bradley Henderson, Federal Director, The Nationals.	Consistency between state and federal electoral rolls (EM2). Automatic enrolment (EM9-13).

Date	Reference	Source / Witness	Notes
13 April 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	Proof Committee Hansard. Mr Steve Tully, Electoral Commissioner, Victorian Electoral Commission.	Victorian automatic enrolment arrangements (EM2-10, EM15).
13 April 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	Proof Committee Hansard. Professor Emeritus David Yencken AO, Chair, Australian Collaboration.	Automatic enrolment (EM41-45).
13 April 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	Proof Committee Hansard. Mr Anthony van der Craats.	Automatic enrolment (EM65).
18 April 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	Proof Committee Hansard. Professor George Williams, Professor of Law, University of New South Wales.	Automatic enrolment (EM26, EM32-33, EM37-38).
24 May 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	AEC, Submission 87.5.	Implementation of NSW and Vic. automatic enrolment provisions (pp. 3-4). Agency data (pp. 4). Risk assessment for a system of direct update or direct enrolment (pp. 4-5).
25 May 2011	Inquiry into the conduct of the 2010 Federal Election and matters related thereto.	Proof Committee Hansard. Mr Ed Killesteyn, Electoral Commissioner, AEC.	Direct enrolment and direct update of enrolment (pp. 12-15).
7 July 2011	JSCEM, <i>The 2010 Federal Election: Report on the conduct of the election and related matters.</i>	JSCEM, Inquiry report.	Discussion in Chapter 3 – Maintaining the electoral roll. Recommendation 1 proposed a process for direct enrolment (p. 36 refers). Recommendation 2 proposed a

Date	Reference	Source / Witness	Notes
			process for direct update of enrolment details (p. 36 refers).
<p>In addition, the inquiry received other submissions which discussed direct enrolment and/or direct update of enrolment. Relevant submissions included* the following.</p> <ul style="list-style-type: none"> 16. Professor George Williams 36. Democratic Audit of Australia 42. United Nations Youth Association of Australia 88. Mr Antony Green 89. Professor Ian Marsh 91. Australian Collaboration 92. Professor Graeme Orr <p>*Note. The above list should not be considered definitive.</p>			

Direct Enrolment and Update

Privacy Impact Assessment

Version 0.10, 9 March 2012



AEC

Australian Electoral Commission

Contents

1	The Direct Enrolment and Update Project	3
1.1	The current Continuous Roll Update process.....	3
1.2	The need for change.....	3
2	Project Description	6
2.1	The Direct Enrolment and Update Review Process.....	6
2.2	Personal Information Flow.....	6
3	Comparable programs	10
3.1	NSW.....	10
3.2	Victoria.....	10
4	Information Privacy Principles Analysis	11
4.1	Principle 1 - Manner and purpose of collection of personal information.....	11
4.2	Principle 2 - Solicitation of personal information from individual concerned.....	11
4.3	Principle 3 - Solicitation of personal information generally.....	12
4.4	Principle 4 - Storage and security of personal information.....	13
4.5	Principle 5 - Information relating to records kept by record-keeper.....	13
4.6	Principle 6 - Access to records containing personal information.....	14
4.7	Principle 7 - Alteration of records containing personal information.....	14
4.8	Principle 8 - Record-keeper to check accuracy etc. of personal information before use.....	15
4.9	Principle 9 - Personal information to be used only for relevant purposes.....	16
4.10	Principle 10 - Limits on use of personal information.....	16
4.11	Principle 11 - Limits on disclosure of personal information.....	16
5	Conclusion	18
	Glossary	19
	Appendix A - Information Privacy Principles	20
	Appendix B – Current List of CRU data sources	24
	Appendix C – Record of personal information records kept for the purpose of maintaining the Electoral Roll	25
	Appendix D – Prescribed Authorities that receive Electoral Roll information	36

Introduction

A key feature of Australia's democracy is based on enfranchisement of all eligible citizens. Parliament has given effect to this by requiring all eligible citizens to enrol to vote. Section 92 of the *Commonwealth Electoral Act 1918* (CEA) charges the Australian Electoral Commission (AEC) with the preparation, maintenance and review of the electoral rolls for federal elections. The AEC estimates that some 1.5 million eligible electors are not enrolled at this time.

For over a decade, the AEC has reviewed the rolls on a continuous basis so that at any point in time the rolls are ready for an election. The AEC uses external data from various agencies in combination with the existing Roll and writes to people who have not enrolled or updated their enrolled address asking them to enrol or update their enrolment. The AEC sent 1.6 million letters in 2010-11 and 4.6 million letters in 2009-10.¹ The response to these letters, in numbers of returned enrolment forms, is less than 20%.

The Joint Standing Committee on Electoral Matters (JSCEM) recommended a regime of Direct Enrolment and Update following its public inquiries into the implications of the *Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Act 2009* (NSW) for the conduct of Commonwealth elections and into the conduct of the 2010 Federal Election.

A Direct Enrolment and Update process makes essentially one change to the current CRU process. For some electors (where the AEC has high certainty about their existence and location), instead of receiving a letter inviting them to enrol, they will instead receive a letter proposing they be enrolled or updated for a particular address and asking them to provide reasons as to why they should not be enrolled in respect of that particular address. Effectively, enrolment will change from occurring after an elector completes an enrolment form (opt-in) to occurring by administrative action unless the elector indicates why this should not be done (opt-out). The AEC expects that this, in combination with other measures, will increase the number of eligible electors on the electoral roll.

The Electoral and Referendum Amendment (Maintaining Address) Bill 2011 was introduced into Parliament on 23 November 2011. The Electoral and Referendum Amendment (Protecting Elector Participation) Bill 2012 was introduced into Parliament on 15 February 2012. These bills provide for a regime of Direct Enrolment and Update, by authorising the Electoral Commissioner, when satisfied, to enrol an elector or to update an elector's address.

This Privacy Impact Assessment outlines the features of the proposed Direct Enrolment and Update regime, and assesses the privacy impacts on individuals against the Information Privacy Principles.

¹ 2009-10 figures include 1.2 million follow up letters sent to people who had not responded to an initial letter.

1 The Direct Enrolment and Update Project

1.1 The current Continuous Roll Update process

For over a decade the AEC has maintained or reviewed the rolls on a continuous basis so that at any point in time the rolls are ready for an election. To do this the AEC accesses external data from a range of federal and State agencies to use in its Continuous Roll Update Program (CRU). This access is authorised under subsection 92(1) of the CEA.

All officers in the service of the Commonwealth, a State or a Territory, officers in the service of any local governing body, and all occupiers of habitations shall upon application furnish to the Electoral Commission or any officer acting under its direction all such information as the Electoral Commission requires in connexion with the preparation, maintenance or revision of the Rolls.

Sources of data include Centrelink, Australia Post, driver's licence data², and a variety of State/Territory level data sources. A complete list of data sources is at Appendix B.

The AEC obtains information about the individual, such as given name, surname, date of birth, current and former address. The data is then examined and matched against the electoral roll to identify individuals who are not enrolled or who have moved and not changed their enrolment.

The individuals identified are then sent a letter, with an enrolment form or link to an on-line form, reminding them to enrol or to update their enrolment. Returned enrolment forms are processed in the same way as enrolment forms from other sources. All enrolment or changes to enrolment are confirmed via an acknowledgment letter sent to the elector. Individuals who do not complete a form (more than 80%) may receive a reminder letter at a later date.

The CEA currently³ requires Evidence of Identity (EOI) to be provided by a person seeking to enrol to vote. Individuals applying to enrol must provide either a driver's licence or Australian passport number in addition to other details on their enrolment form. AEC has access to databases of driver's licence and passport information and uses this data to verify the EOI provided by applicants seeking to enrol or update their enrolment details.

1.2 The need for change

Despite electoral enrolment and voting being compulsory in Australia, enrolment participation has been declining for some time. The AEC estimates that some 1.5 million eligible electors are not currently enrolled. This is extremely concerning and the AEC has reported this in its Annual Reports and in submissions to inquiries by the JSCEM.

² This does not include Photo Cards (formerly Proof of Age Cards), or vehicle registration data

³ *Commonwealth Electoral Act 1918* s98AA. <http://www.comlaw.gov.au/Details/C2011C00720>

Legislation providing for Direct Enrolment and Update will provide another tool to engage and encourage enrolment of all eligible Australians. Individuals will also continue to be able to enrol and interact with the AEC through all of the existing methods.

Figure 1 below demonstrates the increasing number of people who are not enrolled despite the compulsory enrolment provisions in the CEA.

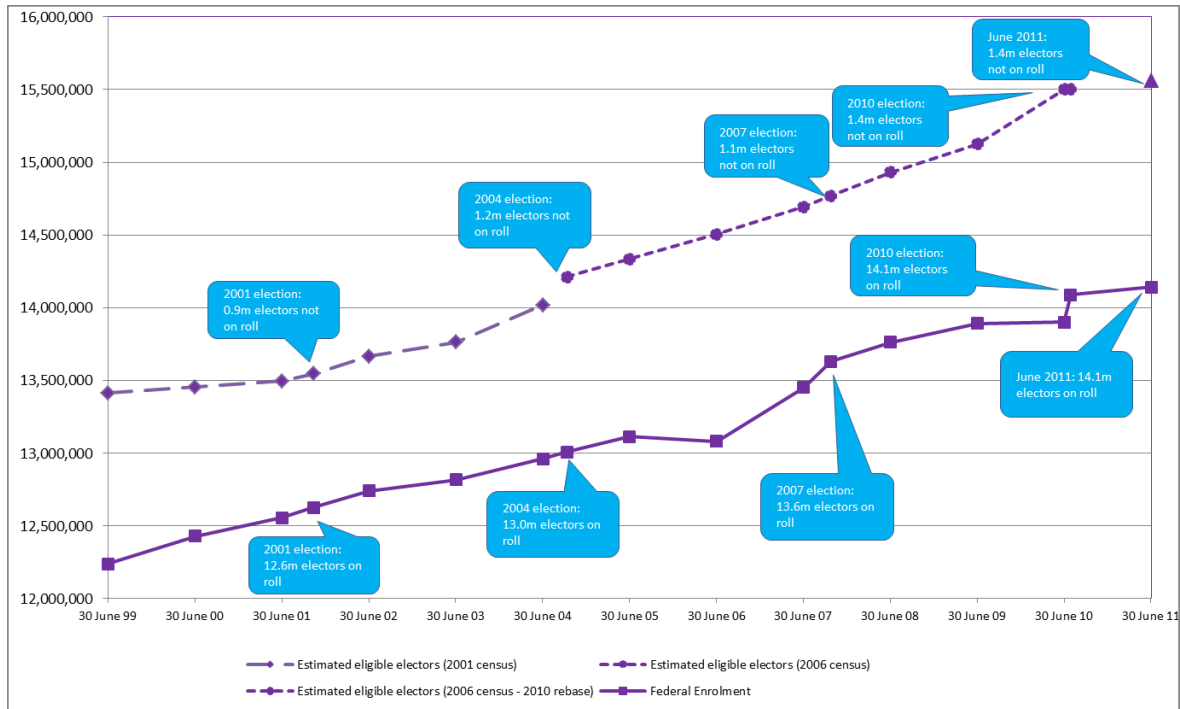


Figure 1 - Number of Enrolled electors vs. eligible population estimate

The AEC commissioned a research study about the reasons for non-enrolment. From the AEC’s 2010 Election JSCEM submission⁴:

The aims of the research were to:

- explore and provide insight into what are the likely triggers for enrolment / re-enrolment for 18-39 year olds;
- examine whether these triggers change as people move through different life stages; and
- provide insight into what short and long term strategies need to be employed to target enrolment activities that will improve the enrolment participation rate of 18-39 year olds.

Three quarters of those surveyed as part of this research study indicated that they know that they needed to be enrolled before going to a polling booth on Election Day, with most of those surveyed, 85 per cent, confident about the enrolment process.

The study also found that, of those who are not enrolled at their current address, it is either because they had not gotten around to it yet (37 per cent) or are about to move again (12 per

⁴ Pgs 18-19. Available at: <http://www.aph.gov.au/house/committee/em/elect10/subs/Sub087.pdf>

cent). This is despite the fact that more than 90 per cent of those surveyed admitted to knowing that they should always be enrolled at their current address and they need to update their enrolment every time they move.

The AEC employs a variety of strategies to encourage people to enrol; get enrolment forms to them; and make it easy to enrol. These activities include:

- Allowing electors to change their address online,
- Providing forms or links to the AEC's website in commonly used government agencies, such as Medicare and Australia Post and at Australia.gov.au and as part of the Australian Taxation Offices *e-tax* application,
- Conducting visits to schools and community groups, and attending citizenship ceremonies, and
- Conducting targeted CRU mailing and fieldwork (visiting individual houses).

Responses (in number of enrolment forms received from electors) for the CRU program, are typically less than 20%. This is less than optimal. A regime of Direct Enrolment and Update would enhance the effectiveness of the enrolment program and lead to an increase in the size of the electoral Roll. A larger electoral Roll means that more electors will be able to vote thus making the outcome of the election more representative and the entire democratic process more robust, giving effect to the constitutional requirements that Members of Parliament are to be "directly chosen by the people".

1.2.1 State Initiatives

While two JSCEM inquiries have recommended Direct Enrolment and Update, the two largest States (NSW and Victoria) have already enacted their own schemes of Direct Enrolment and Update. Their schemes are described below.

The Queensland Government has also announced it is considering similar legislation.

Such State legislation is leading to an increasing discrepancy between those who are enrolled for State and local government elections, but not for federal elections.

Individuals who are enrolled through the NSW and Victorian Direct Enrolment and Update schemes are not correctly enrolled for federal purposes, because the CEA currently only recognises a claim (i.e. completed form) as the basis for enrolling⁵. The AEC follows up these electors to attempt to enrol them correctly for federal purposes, but response rates from this group are approximately 20% to date.

It is expected that at the next federal election a significant number of people may attend at their local polling place, only to find out that they are not eligible to vote, because of this divergence between the State and federal legislation dealing with enrolment. Direct Enrolment and Update at the federal level will reduce enrolment discrepancy and eliminate confusion for many electors.

⁵ See *Commonwealth Electoral Act 1918* s99. There are some minor exceptions.
<http://www.comlaw.gov.au/Details/C2011C00720>

2 Project Description

2.1 The Direct Enrolment and Update Review Process

With Direct Enrolment and Update, rather than sending letters to potential electors reminding them of their legal obligation to enrol correctly and asking them to complete an enrolment form, the AEC will send the potential electors a notification letter. The notification letter will advise these people that the AEC intends to enrol them for a specified address. It will also give people the opportunity to respond to provide the AEC with any legitimate reason why they should not be 'directly' enrolled or updated within 28 days of the letter.

If no response is received from the person, or no legitimate reasons provided as to why the person should not be enrolled at the proposed address, the AEC will enrol the person. Following this action the AEC will write to the elector confirming their enrolment.

AEC will use the same information⁶ from third parties as is currently used in the CRU to identify potential electors. At this stage, the data sources proposed to be used are from Centrelink (Department of Human Services) and State and Territory Road Transport Authorities. Sources of information to be used will be determined by the Electoral Commissioner.

Where third party data sources are not considered to be appropriate for use in the Direct Enrolment and Update process they may still be used as an input for the CRU process.

In order to establish Australian Citizenship for people born in Australia the AEC will seek to source births data from the State based Registrars of Births, Deaths and Marriages. The information obtained will be limited to that required to establish citizenship.⁷

None of the information collected by the AEC constitutes 'sensitive information' as defined in section 6(1) of the *Privacy Act 1988*.

2.2 Personal Information Flow

The information flow is outlined at Figure 2 below. It consists of several steps described in the following sections.

2.2.1 Data in

Data is received from third party sources. The Electoral Commissioner will determine appropriate third party data sources for use in this process (with regard to the relevant Information Privacy Principles).

⁶ This normally consists of name, address, date of birth and contact information (such as phone number)

⁷ For individuals born before 1986 this will be given names, surname, date of birth and the fact that birth took place within Australia. For individuals born after 1986, further information may be required, such as parents' place of birth.

Data will be securely transferred from the third party. Only data relevant for electoral purposes will be sourced. Records relating to individuals in special circumstances will not be sourced from third party providers (which is consistent with current AEC practice).

2.2.2 Matching and Integrity

Third party data will be matched against the electoral roll to identify potential targets for enrolment and update. Matching will be done using specialist information technology systems in the main, and in cases where a precise match cannot be made there will be intervention by an AEC staff member.

In deciding whether an individual should be enrolled there are three overriding principles. The first is certainty about the identity of the individual. This is about ensuring that information supplied can be associated with a unique individual. The second is certainty about the address. Because enrolment and voting are address based it is important to establish the appropriate address at which an elector should be enrolled. Finally it is critical to determine if an individual is an Australian citizen and therefore eligible to be enrolled.

The checks undertaken at this stage are numerous, but include:

- Ensuring that the address provided is one contained on the AEC's Address Register, or can be verified and therefore added to the Address Register.
- Ensuring that the address for mailing has reliable mail delivery⁸.
- Removing individuals who have features which are incompatible with Direct Enrolment and Update (such as those who have been objected from the roll for being incapable of understanding the nature and significance of enrolling and voting).

The AEC will establish an individual's citizenship status for new enrolments using authoritative sources. These sources include:

- Previous electoral Rolls where the person has been enrolled.
- Department of Immigration and Citizenship for those who have acquired citizenship.
- Passports data where the individual has an Australian passport
- Birth data where the person was born in Australia and does not have an Australian passport.

Records that do not satisfy these checks is either diverted to the existing CRU program (which will involve sending the person a letter with an enrolment form to complete) or removed from the process.

⁸ This requirement ensures that individuals will receive communications in time to respond before the deadline.

Data from third party sources will be securely managed and destroyed in line with agreements with the supplying agency and with the requirements of the Data-matching Guidelines issued by the Office of the Australian Information Commissioner.

2.2.3 Notify

Those individuals who pass the Matching and Integrity step are then sent a letter, notifying them of the AEC's intention to enrol them or update their enrolment, and the address at which they are proposed to be enrolled. The individual will have 28 days to respond indicating why the AEC should not take the proposed enrolment action.

2.2.4 Responses

Responses to notification letters will be directed to the AEC's Divisional Offices. Where individuals have a legitimate reason, (for example that they are not eligible for enrolment or that the address proposed for enrolment is temporary and not their real place of living) the AEC will have regard to the response and determine what further action may be required.

2.2.5 Enrolment Action

Individuals who have not responded, or responded in a positive way following the notification letter will be added or updated on the electoral roll.

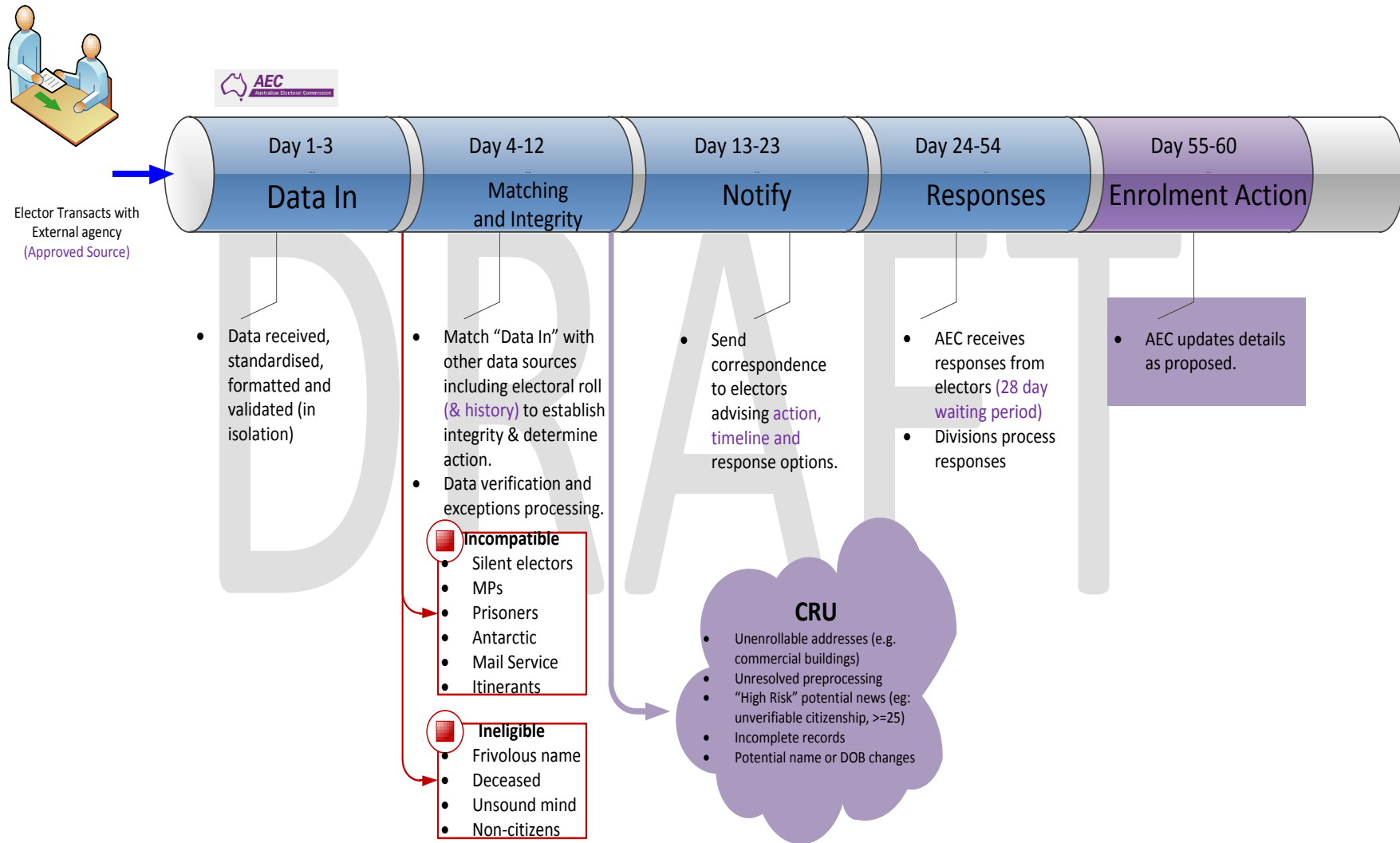


Figure 2 - The Direct Enrolment and Update process

3 Comparable programs

3.1 NSW

The NSW Electoral Commission commenced their direct update and enrolment process during 2010. The NSW Electoral Commission (NSWEC) receives data from external sources (primarily drivers' licence data from the Roads and Traffic Authority (RTA), schools data, and First Home Owners Scheme data). This data passes through an equivalent of the matching and integrity step proposed by the AEC above. The elector is then notified of the intention to enrol (via SMS, letter or email).

The individual then has seven (rather than the 28 days in the proposed *Electoral Amendment (Protecting Elector Participation) Bill 2012*) to advise of any legitimate reason why the enrolment action should not proceed. This can be done by telephone.

At the March 2011 NSW State Election, there were 42,172 people on the NSW electoral roll, as a result of Smart Roll⁹. The NSWEC has surveyed a portion of the electors who had been enrolled in this way and their response was uniformly positive. At the NSW State election in March 2011, 77.2% of electors enrolled this way voted¹⁰.

3.2 Victoria

The Victorian Direct Enrolment scheme is in many ways similar to what has been implemented in NSW. To date the focus has been on enrolled youth, establishing that the Direct Enrolment and Update process should occur 21 days after an elector turns 18, if they are not already enrolled.

The VEC trialled Direct Enrolment using Victorian Tertiary Admission Centre data in the run-up to the Victorian State election in 2010. 1,557 electors were Directly Enrolled.¹¹ Since then, the VEC has commenced using Victorian driver's licence data to enrol and update enrolment for large numbers of people.

⁹ NSW Electoral Commission, *Annual Report 2010-11*, p. 49

¹⁰ Ibid.

¹¹ Victorian Electoral Commission, *Annual Report 2010-11*, p.30

4 Information Privacy Principles Analysis

4.1 Principle 1 - Manner and purpose of collection of personal information

As previously outlined the third party data inputs to the Direct Enrolment and Update process are collected by government¹² agencies that interact with members of the public for their own legitimate purposes. Each of these third parties collects personal information lawfully and for a purpose related to their lawful function.

These third party agencies already provide relevant information to the AEC for enrolment purposes (either for the purpose of identifying individuals that should be enrolled or have moved address, or for the purpose of validating their identity under the CEA). The only additional information to be sourced under the Direct Enrolment and Update regime will be Births data from State and Territory Registrars as a means of assisting in validating the citizenship status of a particular individual.

Section 101 of the CEA provides for compulsory enrolment, so individuals are under a lawful obligation to provide their personal information to the AEC for the purposes of enrolment. Further, subsection 92(1) of the CEA provides the AEC with a broad authorisation to collect personal information required in connection with the preparation, maintenance or review of the rolls from any person in a household and government agencies. There is therefore a clear lawful purpose for the collection of information from both electors and/or third party organisations.

As with the current AEC practice of obtaining and managing information for enrolment purposes, the AEC will only collect information relevant to the lawful purpose of the AEC.

4.2 Principle 2 - Solicitation of personal information from individual concerned

As previously outlined the third party data to be used as inputs to the Direct Enrolment and Update process is collected by government agencies that interact with members of the public for their own legitimate purposes.

The AEC will work with third party suppliers of data to ensure the privacy notice issued by the third party agency provides sufficient disclosure to the individual of how the AEC will use the information in relation to Direct Enrolment and Update. The AEC will suggest that third party agencies supplying data include the following statement in the privacy notice that they use when collecting personal information:

¹² This includes Commonwealth and State government agencies.

The Australian Electoral Commission ('AEC') is authorised to collect from us information about you, such as name, date and place of birth and address and contact details for the purposes of maintaining the electoral Roll. This information will be used to ascertain your eligibility for enrolment as an elector and to contact you about proposed action to be taken by the AEC to appropriately update the electoral Roll. For further information call 13 23 26 or visit www.aec.gov.au/privacy.

Each of the communications with a potential elector (the initial notification and the acknowledgement of enrolment) will provide appropriate levels of information (and linkages to further information through the AEC's website as per current practice) regarding the collection of their information and to whom their information may be distributed.

The AEC will also ensure information is provided to the potential elector about the availability of "silent" enrolment. This is where an elector's address is not shown on the publicly available roll because of a risk to their personal safety. . Individuals who may qualify for "silent" enrolment (i.e. their personal safety would be at risk if their address is shown on the publicly available electoral roll) may be identified and pursued in the Direct Enrolment and Update process. Making these people aware of the option of becoming a silent elector will be an important protection.

4.3 Principle 3 - Solicitation of personal information generally

As previously outlined the information inputs to the Direct Enrolment and Update process are collected by government agencies that interact with members of the public for their own legitimate purposes. Each of these third parties collects personal information lawfully and for a purpose related to their lawful function. This collection occurs as the result of a contact by the individual to become a "customer" or to change their details, or as the result of an interaction triggered by the third party agency.

The AEC will continue to source information from existing third party sources with the aim of initiating contact with a potential elector. This information will be sourced regularly (typically monthly) to ensure the information is up to date. In addition only the information relevant to the AEC will be sourced i.e. information identifying an individual, their citizenship status, their residential address, and contact details.

There is a nexus of purpose and use between the third party collector of information and the AEC. In each case the identity of the individual and their current address is relevant to the business of each agency. The AEC, in sourcing and using this information, commences an engagement with the individual that may result in the individual becoming enrolled to vote. As this enrolment is compulsory under the CEA, the collection and use of

personal information does not intrude to an unreasonable extent on the personal affairs of the individual.

4.4 Principle 4 - Storage and security of personal information

The AEC already has in place data management processes and facilities that are consistent with the requirements of the Defence Signal Directorate's (DSD) Information Security Manual. These provisions relate to how the AEC receives, stores, and handles the personal information collected for the existing CRU program. These arrangements will continue to be applied as part of a Direct Enrolment and Update regime.

These arrangements include, but are not limited to:

- gateway arrangements for the secure receipt of information via internet from chosen data sources;
- a data management environment with appropriate data security safeguards and password protected access control arrangements;
- largely automated systems for the bulk processing and matching of records and mailing to those identified as not matched to individuals currently held on the electoral roll;
- office and system processes for the receipt and processing of resulting enrolment transactions; and
- office processes for the receipt of and appropriate response(s) to resulting enquiries.

4.5 Principle 5 - Information relating to records kept by record-keeper

The AEC publishes information about the electoral roll and its collection of information for electoral purposes on its website: see

http://www.aec.gov.au/Enrolling_to_vote/About_Electoral_Roll/.

The AEC also publishes the "Record of personal information records kept for the purpose of maintaining the Electoral Roll" for the purposes of paragraph 3 of IPP 5. A copy of this information is appended as Appendix C. This information will enable an individual to establish whether the AEC has in its possession and control any records that contain personal information about that individual in relation to electoral enrolment

The current arrangements for ascertaining the existence of and accessing AEC records relating to a particular individual will continue to apply once Direct Enrolment and Update is implemented.

These arrangements consist of the right of inspection of the electoral Roll prescribed by section 90A of the CEA and the following administrative arrangements:

- The AEC publishes on its webpage a facility “Check my electoral enrolment” at <https://oevf.aec.gov.au/>.
- An elector who wishes to access information relating to herself or himself may do so by making a request at the AEC Divisional Office for the electoral Division in which she or he is enrolled. A list of AEC Divisional Offices is published on the AEC website at http://www.aec.gov.au/About_Aec/Contact_the_AEC/ which includes a facility to assist in sending an email to the relevant AEC Divisional Office.

4.6 Principle 6 - Access to records containing personal information

Individuals can check their enrolment by supplying their details on the AEC website (at <https://oevf.aec.gov.au/>). This will only confirm their enrolment status, not supply additional information.

Additionally, an elector can access details of their enrolment history with the AEC by written request or by using an AEC form designed for this purpose available at AEC Divisional Offices. More complex requests for access to records are handled by the AEC’s Privacy Contact Officer.

None of these aspects will change with the Direct Enrolment and Update process. Current arrangements, including those stated in section 4.5 are prescribed by the CEA¹³ and AEC policy and are consistent with IPP6.

4.7 Principle 7 - Alteration of records containing personal information

The AEC creates and maintains enrolment records as a result of a variety of elector and AEC initiated activity as required by the CEA and relevant record keeping legislation. The implementation of Direct Enrolment and Update will not disturb the existing arrangements for making appropriate corrections, deletions and additions as are, in the circumstances, reasonable to ensure that the electoral Roll is accurate, up to date and not misleading.

Those arrangements include:

- (a) addition of eligible electors to the roll;
- (b) change of the enrolled address of an existing elector;

¹³ See sections 105 and 106 and Part IX of the CEA.

- (c) change of name of an enrolled elector;
- (d) amendment of other information relating to an enrolled elector;
- (e) removal of an elector because they are no longer eligible to be enrolled;
- (f) alteration of other information on the roll.

Alteration of enrolment records (or processes that are commenced) may be triggered by the action of an elector, receipt of information from other parties, or by internal administrative, quality and integrity processes initiated by the AEC,

Under a Direct Enrolment and Update regime, the AEC, after receiving information from a third party source, may initiate action to enrol an individual based on personal information obtained via the third party source. Through the notification process that individual will have the opportunity to alter or correct the personal information to appropriately reflect their circumstances in accordance with the requirements of the CEA.

4.8 Principle 8 - Record-keeper to check accuracy etc. of personal information before use

The AEC will check the accuracy of personal information that it receives before use in revising the electoral Roll. The AEC will do this by applying the arrangements described in 4.7 as well as those outlined below:

Third party data will be processed to identify individuals that appear to be eligible to enrol but that are not currently enrolled. A critical step of this processing will be to determine if the individual is an Australian citizen.

Third party data will be used as an input to this process on the basis that the third party appropriately identifies an individual when creating or updating its records, and that it records a residential address for that individual.

Third party data is received by the AEC on a monthly basis and will be processed on a monthly basis.

Through the notification process that individual will have the opportunity to alter or correct the personal information to appropriately reflect their circumstances in accordance with the requirements of the CEA. Where the individual identifies they are not in fact a citizen they will not be enrolled. If the AEC receives information that the individual does not live at that address the individual will not be enrolled.

This process will ensure the accuracy of the information. In any case, if the AEC is not satisfied by the information available, no enrolment action will take place.

4.9 Principle 9 - Personal information to be used only for relevant purposes

As previously outlined the information inputs to the Direct Enrolment and Update process are collected by government agencies that interact with members of the public for their own purposes. This collection occurs as the result of a contact by the individual to become a “customer” or to change their details, or as the result of an interaction triggered by the relevant agency.

The purpose to which the information is being put, i.e. updating the individual’s residential address, is the same purpose which the AEC will use it for. It is a purpose which is tried and tested through the existing Continuous Roll Update arrangements. The Electoral and Referendum Amendment (Protecting Elector Participation) Bill 2012 (the ‘Bill’) has as its main aim to update the electoral roll through the use of data collected by third parties. If the Bill is passed by parliament it would establish a clear indicator that the parliament considers the information collected by third parties as being relevant for this purpose.

4.10 Principle 10 - Limits on use of personal information

The AEC uses personal information in enrolment records exclusively for electoral purposes as prescribed by the CEA. The Electoral and Referendum Amendment (Protecting Elector Participation) Bill 2012 when enacted and section 92 of the CEA will establish a clear authorisation for the use of the information obtained from third party sources. These arrangements are consistent with paragraph 1(c) of IPP 10.

4.11 Principle 11 - Limits on disclosure of personal information

The AEC will use information obtained from third party agencies to commence a Direct Enrolment and Update process that may result in the enrolment of an individual. This information will be used to identify a potential elector and to communicate with that elector. At no time will the information sourced from a third party agency be disclosed outside the AEC. This is consistent with current practices.

If a person is ultimately enrolled through the Direct Enrolment and Update process an enrolment record will be created and maintained by the AEC on AEC roll management systems.

In circumstances other than where an elector seeks information in relation to herself or himself, the AEC is required (and in some cases permitted) by section 90B of the CEA to provide various forms of information from the roll to a range of groups:

1. Members of Parliament, political parties and candidates for election

2. Medical researchers and health screening programs
3. State and Territory electoral authorities
4. Prescribed authorities (primarily Commonwealth departments with service delivery responsibilities to individuals, listed at Appendix C)
5. Agencies and organisations that deal with the *Financial Transactions Reports Act 1988* and the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*.

The information provided is personal information, but is generally limited to information on the roll (name, address and electorate information). Political parties and members of parliament receive additional information, such as gender, date of birth and salutation on a regular basis.

However, the disclosure of the “personal information” from the Commonwealth electoral Roll to these persons, organisations and agencies is only for a “permitted purpose”. There are criminal offences contained in sections 91A and 91B of the CEA which prohibit any further use or disclosure. The scope of the relevant “permitted purpose” is set out in section 91A. For the various prescribed agencies who receive extracted information from the Roll the permitted purpose” is listed in the item in Schedule 1 to the Regulations and is generally limited to law enforcement activities. Prior to the release of any personal information being released the agency head (see the definition of a prescribed agency in subsection 4(1) of the CEA) is required to sign a “Safeguard Agreement” under which they acknowledge the “permitted purpose” and specify where in the agency the information will be used.

5 Conclusion

Despite enrolment being compulsory under the *Commonwealth Electoral Act 1918* the percentage of eligible people on the electoral Roll is in decline.

Direct Enrolment and Update will provide an additional tool for effectively and efficiently engaging with potential electors and will result in greater integrity of the electoral roll.

Direct Enrolment and Update will leverage existing AEC arrangements for sourcing and using information from third parties to identify potential electors. This process will include contact with electors to ensure their personal information is accurate and relevant for the purpose of enrolment. The AEC will not enrol electors where there is a legitimate reason as to why the elector should not be enrolled.

Births data will be sourced from State/Territory Registrars as a means of validating the citizenship entitlement of electors born in Australia and as an adjunct to other information already used by the AEC i.e. citizenship and passport data. Note however that this data will not be used to identify potential electors. While the addition of births data as validating information is critical to the success of a Direct Enrolment regime, it does not further impact on the privacy of individuals over and above existing practices.

Births data will be subject to the same comprehensive regime of people and system controls for receiving, using, managing and disclosing personal information as is currently in place for all third party data sources and enrolment records in the AEC.

Glossary

Word/Acronym	Meaning
Approved Source	An agency approved as one which will supply information for the Direct Enrolment and Update program
CEA	<i>Commonwealth Electoral Act 1918</i>
Collecting Agency	The collecting agency is the agency which interacts with the individual to collect information on behalf of the AEC. For all practical purposes, Approved Source and Collecting Agency are equivalent.
CRU	Continuous Roll Update – a program where potential electors and electors who have moved are sent a letter asking them to enrol, using data sourced from external agencies.
Data use criteria	The criteria used by the Electoral Commissioner (or their delegate) to determine which data sources can be Approved Sources
Direct Enrolment	The process where a person will be enrolled for the first time (or re-enrolled) on the basis of external information.
Direct Update	The process by which a person will have their enrolment updated on the basis of external information.
EOI	Evidence of Identity – is the process for establishing that the person providing information is who the claim to be. This is usually undertaken by providing information or documents.
IPP	Information Privacy Principles. These principles are contained in the <i>Privacy Act 1988</i> , and set the standard for Agencies to meet.
JSCEM	Joint Standing Committee on Electoral Matters – the parliamentary committee which examines election and enrolment related activities.
PIA	Privacy Impact Assessment – this document
RMANS	Roll Management System – the computer system which manages the electoral roll.

Appendix A - Information Privacy Principles

Principle 1 - Manner and purpose of collection of personal information

1. Personal information shall not be collected by a collector for inclusion in a record or in a generally available publication unless:
 - (a) the information is collected for a purpose that is a lawful purpose directly related to a function or activity of the collector; and
 - (b) the collection of the information is necessary for or directly related to that purpose.
2. Personal information shall not be collected by a collector by unlawful or unfair means.

Principle 2 - Solicitation of personal information from individual concerned

Where:

- (a) a collector collects personal information for inclusion in a record or in a generally available publication; and
- (b) the information is solicited by the collector from the individual concerned;

the collector shall take such steps (if any) as are, in the circumstances, reasonable to ensure that, before the information is collected or, if that is not practicable, as soon as practicable after the information is collected, the individual concerned is generally aware of:

- (c) the purpose for which the information is being collected;
- (d) if the collection of the information is authorised or required by or under law - the fact that the collection of the information is so authorised or required; and
- (e) any person to whom, or any body or agency to which, it is the collector's usual practice to disclose personal information of the kind so collected, and (if known by the collector) any person to whom, or any body or agency to which, it is the usual practice of that first mentioned person, body or agency to pass on that information.

Principle 3 - Solicitation of personal information generally

Where:

- (a) a collector collects personal information for inclusion in a record or in a generally available publication; and
- (b) the information is solicited by the collector:

the collector shall take such steps (if any) as are, in the circumstances, reasonable to ensure that, having regard to the purpose for which the information is collected:

- (c) the information collected is relevant to that purpose and is up to date and complete; and

- (d) the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the individual concerned.

Principle 4 - Storage and security of personal information

A record-keeper who has possession or control of a record that contains personal information shall ensure:

- (a) that the record is protected, by such security safeguards as it is reasonable in the circumstances to take, against loss, against unauthorised access, use, modification or disclosure, and against other misuse; and
- (b) that if it is necessary for the record to be given to a person in connection with the provision of a service to the record-keeper, everything reasonably within the power of the record-keeper is done to prevent unauthorised use or disclosure of information contained in the record.

Principle 5 - Information relating to records kept by record-keeper

1. A record-keeper who has possession or control of records that contain personal information shall, subject to clause 2 of this Principle, take such steps as are, in the circumstances, reasonable to enable any person to ascertain:
 - (a) whether the record-keeper has possession or control of any records that contain personal information; and
 - (b) if the record-keeper has possession or control of a record that contains such information:
 - (i) the nature of that information;
 - (ii) the main purposes for which that information is used; and
 - (iii) the steps that the person should take if the person wishes to obtain access to the record.
2. A record-keeper is not required under clause 1 of this Principle to give a person information if the record-keeper is required or authorised to refuse to give that information to the person under the applicable provisions of any law of the Commonwealth that provides for access by persons to documents.
3. A record-keeper shall maintain a record setting out:
 - (a) the nature of the records of personal information kept by or on behalf of the record-keeper;
 - (b) the purpose for which each type of record is kept;
 - (c) the classes of individuals about whom records are kept;
 - (d) the period for which each type of record is kept;
 - (e) the persons who are entitled to have access to personal information contained in the records and the conditions under which they are entitled to have that access; and
 - (f) the steps that should be taken by persons wishing to obtain access to that information.
4. A record-keeper shall:
 - (a) make the record maintained under clause 3 of this Principle available for inspection by members of the public; and

- (b) give the Commissioner, in the month of June in each year, a copy of the record so maintained.

Principle 6 - Access to records containing personal information

Where a record-keeper has possession or control of a record that contains personal information, the individual concerned shall be entitled to have access to that record, except to the extent that the record-keeper is required or authorised to refuse to provide the individual with access to that record under the applicable provisions of any law of the Commonwealth that provides for access by persons to documents.

Principle 7 - Alteration of records containing personal information

1. A record-keeper who has possession or control of a record that contains personal information shall take such steps (if any), by way of making appropriate corrections, deletions and additions as are, in the circumstances, reasonable to ensure that the record:
 - (a) is accurate; and
 - (b) is, having regard to the purpose for which the information was collected or is to be used and to any purpose that is directly related to that purpose, relevant, up to date, complete and not misleading.
2. The obligation imposed on a record-keeper by clause 1 is subject to any applicable limitation in a law of the Commonwealth that provides a right to require the correction or amendment of documents.
3. Where:
 - (a) the record-keeper of a record containing personal information is not willing to amend that record, by making a correction, deletion or addition, in accordance with a request by the individual concerned; and
 - (b) no decision or recommendation to the effect that the record should be amended wholly or partly in accordance with that request has been made under the applicable provisions of a law of the Commonwealth;

the record-keeper shall, if so requested by the individual concerned, take such steps (if any) as are reasonable in the circumstances to attach to the record any statement provided by that individual of the correction, deletion or addition sought.

Principle 8 - Record-keeper to check accuracy etc. of personal information before use

A record-keeper who has possession or control of a record that contains personal information shall not use that information without taking such steps (if any) as are, in the circumstances, reasonable to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date and complete.

Principle 9 - Personal information to be used only for relevant purposes

A record-keeper who has possession or control of a record that contains personal information shall not use the information except for a purpose to which the information is relevant.

Principle 10 - Limits on use of personal information

1. A record-keeper who has possession or control of a record that contains personal information that was obtained for a particular purpose shall not use the information for any other purpose unless:
 - (a) the individual concerned has consented to use of the information for that other purpose;
 - (b) the record-keeper believes on reasonable grounds that use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person;
 - (c) use of the information for that other purpose is required or authorised by or under law;
 - (d) use of the information for that other purpose is reasonably necessary for enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue; or
 - (e) the purpose for which the information is used is directly related to the purpose for which the information was obtained.
2. Where personal information is used for enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue, the record-keeper shall include in the record containing that information a note of that use.

Principle 11 - Limits on disclosure of personal information

1. A record-keeper who has possession or control of a record that contains personal information shall not disclose the information to a person, body or agency (other than the individual concerned) unless:
 - (a) the individual concerned is reasonably likely to have been aware, or made aware under Principle 2, that information of that kind is usually passed to that person, body or agency;
 - (b) the individual concerned has consented to the disclosure;
 - (c) the record-keeper believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or of another person;
 - (d) the disclosure is required or authorised by or under law; or
 - (e) the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.
2. Where personal information is disclosed for the purposes of enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the purpose of the protection of the public revenue, the record-keeper shall include in the record containing that information a note of the disclosure.
3. A person, body or agency to whom personal information is disclosed under clause 1 of this Principle shall not use or disclose the information for a purpose other than the purpose for which the information was given to the person, body or agency.

Appendix B – Current List of CRU data sources

Source	Coverage	Data Supplied
Centrelink	Australia	Centrelink clients
Qld Residential Tenancies Authority	Queensland	Qld RTA Tenancies Data
Australia Post	Australia	Change of Address Notification
Austroroads Incorporated (NEVDIS)	Australia	Drivers licence data
WA Government Housing	Western Australia	WA Government Housing
Board of Studies	Australia	Schools data
WA Land Information Authority (Landgate)	Western Australia	WA Land Sales
QLD Government Housing	Queensland	Qld Government Housing
ACT Rental Bonds	Australian Capital Territory	ACT Rental Bonds
ACT Electricity & Water	Australian Capital Territory	ACT Electricity & Water
NT Electricity & Water	Northern Territory	NT Electricity & Water

Appendix C – Record of personal information records kept for the purpose of maintaining the Electoral Roll

ENROLMENT AND THE ELECTORAL ROLL

5. ENROLMENT FORMS

The purpose of these records is to make a claim for enrolment in accordance with the provisions of the *Commonwealth Electoral Act 1918*.

Content may include: salutation, name, residential address, postal address, phone number, former name, email address, former address, date of birth, occupation (for NSW, Qld, WA and NT electors), gender, details of Australian citizenship, town and country of birth, driver's licence number, signature, witness details and date of application. If no driver's licence is available as proof of identity, then other stipulated documents may be used as proof of identity.

The personal information on these records relates to electors.

The following agency staff have access to this personal information - with restrictions on access to silent enrolment details: Divisional Office staff, State Office computer services staff and other authorised staff.

An optical disk, microfilm or digital image of source documents is 'Disposal not Authorised'. This class of record (AEC RDA 2005/210284, Record Class No 11919) requires that they be maintained and preserved by the AEC indefinitely.

Disclosure of information to other persons or organisations is governed by the provisions of the *Commonwealth Electoral Act 1918*.

Individuals can obtain information regarding access to their personal information by contacting the Freedom of Information and Privacy Contact Officer, Ph: (02) 6271 4511.

The records relate to 14.6 million currently enrolled individuals, and an unspecified number of persons not now enrolled. The information is stored on paper, microfilm and electronic media.

Location: The digital images are held by a contractor in Sydney.

6. ELECTORAL ROLL

The purpose of these records is to maintain a roll of electors for each division as required under the *Commonwealth Electoral Act 1918*. This is continually updated with additions and deletions.

Content may include name and residential address.

The personal information on these records relates to electors.

This class of record (AEC RDA 2005/210284, Record Class No 11917) requires that the Master be 'Retained as National Archives', in other words, retained permanently.

This information, except for the address details of silent electors, is made available for public inspection under the provisions of section 90A of the *Commonwealth Electoral Act 1918*.

Individuals can obtain information regarding access to their personal information by contacting the Freedom of Information and Privacy Contact Officer, Ph: (02) 6271 4511.

The records relate to 14.6 million currently enrolled individuals. The information is stored on an electronic media.

Location: All AEC Offices.

ELECTION DOCUMENTS

7. COPIES OF CERTIFIED LIST OF VOTERS (REFERENCE ROLLS)

The purpose of these records is to provide a copy of the certified list of voters to be used in polling places for the purposes of the *Commonwealth Electoral Act 1918* and the *Referendum (Machinery Provisions) Act 1984*. The certified lists are for internal use and the reference rolls are certified lists which are distributed to House of Representative candidates, Senators and political parties.

Content may include name, address, gender and date of birth.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: Divisional Office staff and other authorised staff.

This class of record is required to be maintained for at least six months post-election under AEC RDA 2005/210284, Record Class No 19262. In addition, this electoral material can

only be disposed of with the Electoral Commissioner's prior approval, in accordance with provisions of the Electoral Act.

This information is disclosed to House of Representative candidates, Senators and political parties.

Individuals can obtain information regarding access to their personal information by contacting the Freedom of Information and Privacy Contact Officer, Ph: (02) 6271 4511.

The records relate to 14.6 million individuals and are stored on electronic and paper media.

Location: Divisional Offices and State Offices.

8. PRINTED ROLLS

The purpose of these records is to provide an updated version of the electoral roll arranged alphabetically by Division for purposes of supply to Members, Senators and political parties and for public inspection under the provisions of the *Commonwealth Electoral Act 1918*.

Content may include name and address. Addresses are suppressed for silent, eligible overseas and itinerant electors.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: all staff.

The master of this class of record is 'Disposal not Authorised' under AEC RDA 2005/210284, Record Class No 11918 and requires that they be maintained and preserved by the AEC indefinitely.

This information is disclosed to: Members of Parliament, political parties and to the public. The record is freely and publicly available for inspection.

9. MICROFICHE OF ROLLS SHOWING ONLY NAME AND ADDRESS

The purpose of these records is to provide an updated version of the electoral roll on microfiche arranged alphabetically by Division or State for purposes of public inspection as provided for under the *Commonwealth Electoral Act 1918*.

Content may include name, address, State District, Local Government Area and Federal Division. Addresses, state district and local government area are suppressed for silent, eligible overseas and itinerant electors.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: staff in the Roll Management Branch and other authorised staff.

The information contained on Microfiche is disclosed to the public in the form of the Electoral Roll.

The master of this class of record is 'Disposal not Authorised' under AEC RDA 2005/210284, Record Class No 11918 and requires that they be maintained and preserved by the AEC indefinitely.

Individuals can obtain information regarding access to their personal information by contacting the Australian Electoral Commission offices.

The records relate to 14.6 million individuals and are stored on microfiche.

Location: National Office, State Libraries and the National Library of Australia.

10. ELECTORAL ROLL - ELECTRONIC PUBLIC ACCESS

The purpose of these records is to provide an updated version of the electoral roll arranged alphabetically by Division or State for purposes of public inspection as provided for under the *Commonwealth Electoral Act 1918*.

Content may include name, address, State District, Local Government Area and Federal Division. Addresses, state district and local government area are suppressed for silent, eligible overseas and itinerant electors.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: all staff.

This information is disclosed to the public. The record is available for public inspection.

The electoral roll is stored electronically.

The master of this record is required to be maintained under AEC RDA 2005/210284. The Record Class No 11917 requires that these records be 'Retained as National Archives', in other words, be retained permanently.

Individuals can obtain information regarding access to their personal information by contacting the Australian Electoral Commission offices.

The records relate to 14.6 million individuals and are stored on the internal intranet.

Location: All AEC Offices

11. ELECTORAL ROLL - COMPUTERISED SYSTEM

Roll Management System (RMANS) is used in all AEC State and Territory offices and State and Territory electoral authority offices.

The purpose of these records is to record and maintain enrolment details for approximately 14.6 million electors and an unspecified number of deletion alterations for the purposes of the *Commonwealth Electoral Act 1918*. The system is structured into an elector file, an address file, a geographical file, and a history of deletions.

Content may include: enrolment transaction ID number, continuous elector ID, enrolment date, name, address (residential and postal), former name, former address, date of birth, occupation (for NSW, Qld, WA and NT electors), gender and special enrolment category, citizenship details and certain additional notations required for the management of the roll, including the habitation walk to which the elector's address is related, the street part, the local government area, the State electorate, the Federal electorate, jury district, Census Collection District, and citizenship number.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: Divisional Office staff, computer services staff in National Office and State Offices and other authorised staff.

The master of this record is required to be maintained under AEC RDA 2005/210284. The Record Class No 11917 requires that these records be 'Retained as National Archives', in other words, be retained permanently.

On-line inquiry access is available to State and Territory electoral authorities in accordance with Joint Roll Arrangements and associated data supply agreements.

Individuals can obtain information regarding access to their personal information by contacting the Freedom of Information and Privacy Contact Officer, Ph: (02) 6271 4511.

The records relate to 14.6 million individual electors and an unspecified number of persons. The information is stored on computer.

Location: online to all Divisional Offices, Computer Services staff in National Office and State Offices and to the State and Territory electoral offices.

12. ROLLS AND HABITATION INDEX FOR FEDERAL SENATORS AND MEMBERS, REGISTERED POLITICAL PARTIES - ELECTOR INFORMATION ACCESS SYSTEM (ELIAS)

The purpose of these records is to provide Federal Members, Senators and registered political parties with an up-to-date copy of the roll of electors. This is provided monthly or as often as practicable.

Content may include: salutation, name, residential address, DPID for residential address, gender, date of birth, postal address and DPID for postal address, elector ID plus ID links, indicators to show whether the elector has a special category of enrolment and what type including general postal voter and whether a person is less than 18 years old, date of enrolment, "new" enrolment indicator, "re-enrolled" indicator, an indicator to show if the elector is eligible for State or Federal only enrolment, the Federal Electoral Division, the State or Territory, the State Electoral District, the Local Government Area and the Census Collection District in which the elector is enrolled.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: authorised National Office staff.

The master of this record is required to be maintained under AEC RDA 2005/210284. The Record Class No 11917 requires that these records be 'Retained as National Archives', in other words, be retained permanently.

This information is disclosed to Federal Members and Senators and registered political parties.

Individuals can obtain information regarding access to their personal information by contacting the Freedom of Information and Privacy Contact Officer, Ph: (02) 6271 4511.

The records relate to 14.6 million individual electors and are stored on CD/DVD-ROM.

Location: National Office.

13. AUSTRALIAN GOVERNMENT AGENCIES AND AUTHORITIES, AND OTHER PERSONS OR ORGANISATIONS SPECIFIED IN THE ELECTORAL AND REFERENDUM REGULATIONS 1940

The purpose of these records is to provide certain Australian Government Agencies and Authorities, and other persons or organisations with roll information to be used for permitted purposes. This information is supplied quarterly.

Content may include name, address, date of birth, gender, and occupation. Excluded from the data are Norfolk Island electors. Addresses are suppressed for silent electors.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: authorised National Office staff.

The master of this record is required to be maintained under AEC RDA 2005/210284. The Record Class No 11917 requires that these records be 'Retained as National Archives', in other words, be retained permanently. Under an Agreement for the Safeguard of Roll

Information, a Destruction Certificate will be provided to the AEC within two weeks of receipt of new roll information, confirming deletion/destruction of the information held on the computer facility, or noting the return of the previous roll information to the AEC by registered mail. Returned material have a disposal action under AEC RDA 2005/210284, Record Class No 19262. This disposal requires that they be maintained for a minimum of six months post election.

The Australian Government Agencies and Authorities that are listed in Schedule 1 to the *Electoral and Referendum Regulations 1940* and other persons or organisations that are listed in regulation 7 of the *Electoral and Referendum Regulations 1940* are entitled to receive an electronic copy of the Roll. The roll information can only be used for the purposes prescribed in the Regulations.

Individuals can obtain information regarding access to elector information by contacting the Freedom of Information and Privacy Contact Officer, Ph: (02) 6271 4511.

The records relate to 14.6 million individuals and are stored on CD/DVD-ROM.

Location: National Office

14. REGISTER OF GENERAL POSTAL VOTERS

The purpose of these records is to maintain a register of general postal voters for each Division under section 184B of the *Commonwealth Electoral Act 1918*.

Content may include name and address. Addresses are suppressed for silent electors.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: Divisional Office staff, National and State Office Computer Services staff and other authorised staff.

Master registers of this class of record are to be maintained under AEC RDA 2005/210284, Record Class No 11923, with a disposal action of 'Destroy when Register is Superseded'.

The registers are available for public inspection at the appropriate Divisional Office

The records relate to approximately 190,000 individuals and are stored on computer and paper media.

Location: Divisional Offices with electronic records accessible via National Office if approved.

15. SPECIAL CATEGORY ENROLMENT REGISTERS

The purpose of these records is to register itinerant, Antarctic, eligible overseas, spouse or child of eligible overseas, persons unable to sign their name due to physical incapacity, 17

year old, silent, State only, Federal only, and Norfolk Island electors. Source documents identifying the elector are also recorded.

Content may include: name, address and details of special enrolment requirements.

Due to the sensitive nature of the content, the addresses of silent electors are suppressed.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: all Divisional Office staff, National and State Office computer services staff and other authorised staff. Access to silent elector details other than name is restricted to the Divisional Returning Officer for the electoral division in which the elector is enrolled and other authorised staff.

Copies of electoral rolls and special category voter registers are to be maintained under AEC RDA 2005/210284, Record Class No 11924, with a disposal action of 'Destroy when Reference Ceases'.

This information is not usually disclosed to other persons or organisations.

Individuals can obtain information regarding access to their personal information by contacting the Freedom of Information and Privacy Contact Officer, Ph: (02) 6271 4511.

The records relate to approximately 152,000 individuals and are stored on computer and paper media.

Location: Divisional Offices with computer access through National Office and State Offices.

ELECTORAL ROLL REVIEW

16. ELECTORAL ROLL REVIEW WALK LISTS

The purpose of these records is to list habitations and electors in a review walk and are made up of electoral rolls re-formatted into street order by habitation walk number. These are used by Electoral Field Officers in the conduct of Electoral Roll Reviews under the *Commonwealth Electoral Act 1918*.

Content may include: name, address, special elector category status (excluding silent electors) and alterations or notations made by electoral roll review officers regarding electors.

The personal information on these records relates to electors. Silent and itinerant electors and those registered as overseas electors are not included.

The following agency staff have access to this personal information: Divisional Office staff and other authorised staff.

Records documented within review walk lists are to be maintained under AEC RDA 2005/210284, Record Class No 11950, with a disposal action of 'Destroy 2 years after Last Action'.

This information is not usually disclosed to other persons or organisations.

Individuals can obtain information regarding access to their personal information by contacting the Freedom of Information and Privacy Contact Officer, Ph: (02) 6271 4511.

The records relate to an unspecified number of individuals and are stored on paper until entered into the Roll Management System (RMANS).

Location: Divisional Offices.

17. ELECTORAL ROLL REVIEW - CONTINUOUS ROLL UPDATE RECORDS

The purpose of these records is to assist with the identification of eligible electors who have not updated their electoral enrolment details. Electronic data files are provided by external agencies (currently Centrelink, Australia Post and some State/Territory Government agencies) from which correspondence is generated in order to update the roll.

Content may include name, date of birth, address and client reference number.

The personal information on these records relates to electors and potential electors.

The following agency staff have access to this personal information: Divisional Office and State Office staff, National Office staff and other authorised staff.

The master of this record is required to be maintained under AEC RDA 2005/210284. The Record Class No 11917 requires that these records be 'Retained as National Archives', in other words, be retained permanently. Source documents collected for the purpose of continuous roll update of the address register are maintained under AEC RDA 2005/210284, Record Class No 11951 with a disposal action of 'Destroy 3 months after details have been recorded on the Address Register'.

This information is not disclosed to other persons or organisations.

The records relate to an unspecified number of individuals and are stored electronically.

18. ELECTORAL ROLL REVIEW - NON-ATTENDANCE CARDS

The purpose of these records is to record cards left at houses requesting confirmation of enrolment details where Electoral Field Officers have been unable to contact the householder directly.

Content may include name, address and alterations or notations made by electors at that address.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: Divisional Office staff, Electoral Roll Review casual staff and other authorised staff.

Returned non-attendance cards collected for the purpose of continuous roll update of the address register are retained under AEC RDA 2005/210284, Record Class No 11951 with a disposal action of 'Destroy 3 months after details have been recorded on the Address Register'.

This information is not usually disclosed to other persons or organisations.

Individuals can obtain information regarding access to their personal information by contacting the Freedom of Information and Privacy Contact Officer, Ph: (02) 6271 4511.

The records relate to an unspecified number of individuals and are stored on paper.

Location: Divisional Offices.

ELECTIONS

19. CERTIFIED LIST OF VOTERS

The purpose of these records is to compile a version of the electoral roll used in polling places for the purpose of the *Commonwealth Electoral Act 1918* and the *Referendum (Machinery Provisions) Act 1984*. These lists are then electronically scanned to prepare lists of apparent non-voters and apparent multiple voters and other scanning reports.

Content may include: name, address, date of birth, gender, a mark indicating that an elector has voted, and where the voter has voted.

The personal information on these records relates to electors.

The following agency staff have access to this personal information: Divisional Office staff, election temporary staff, polling place staff and scanning centre staff, and other authorised staff, contractors printing certified lists and contractors scanning certified lists (contracts include confidentiality clauses). Such staff are required to sign an undertaking not to disclose details of any personal information to which they have access while carrying out their duties.

The records are kept until after all multiple voter and non-voter investigations have been completed for an election (s.393A of the *Commonwealth Electoral Act 1918*). In addition, records for the scanning process for non-voters and multiple voters are covered under AEC RDA 2005/210284, Record Class No 11739 with a disposal action of 'Destroy after two

electoral events completed'. Further action may be required if the matter escalates. In that event, these records would be covered under the Administrative Functions Disposal Authority record class No 1586 (Legal Services - Litigation) with a disposal action of 'Destroy 7 years after action ceases'.

This information is not usually disclosed to other persons or organisations, however election scrutineers are entitled to observe the marking of these lists on polling day and during the preliminary scrutiny of declaration votes. Scrutineers sign a Scrutineer Appointment Form, which includes a statement that they must not disclose information gained as a scrutineer.

The *Commonwealth Electoral Act 1918* provides for candidates and Members of the House of Representatives, Senators and registered political parties to be supplied with certified lists of voters.

Individuals can obtain information regarding access to their personal information by contacting the Freedom of Information and Privacy Contact Officer, Ph: (02) 6271 4511.

The records relate to approximately 14.6 million individuals and are stored on computer and paper media.

Location: State Offices.

Appendix D – Prescribed Authorities that receive Electoral Roll information

Prescribed authorities and purposes under section 90(B)(4) and regulation 5A of the *Electoral and Referendum Regulations 1940*, with access to Electoral Roll information, namely:

- Australia Post;
- Australian Bureau of Statistics;
- Australian Commission for Law Enforcement Integrity;
- Australian Communications and Media Authority;
- Australian Competition and Consumer Commission;
- Australian Crime Commission;
- Australian Customs Service (Customs);
- Australian Federal Police (AFP);
- Australian Securities and Investments Commission;
- Australian Security Intelligence Organisation;
- Australian Taxation Office (the Statutory Agency consisting of the Commissioner of Taxation and staff);
- Australian Transactions Reports and Analysis Centre;
- ComSuper (the Statutory Agency consisting of the Commissioner for Superannuation and staff);
- Department of Agriculture, Fisheries and Forestry;
- Department of Defence
- Department of Education, Employment and Workplace Relations (formerly the Department of Employment and Workplace Relations and Department of Education, Science and Training);
- Department of Sustainability, Environment, Water, Population and Communities (formerly Department of the Environment and Water Resources);
- Department of Foreign Affairs and Trade
- Department of Human Services;
- Department of Immigration and Citizenship;
- Department of Veterans' Affairs;
- Director of Public Prosecutions;
- Federal Court of Australia (the Statutory Agency consisting of the Registrar and the APS employees assisting the Registrar); and
- Insolvency and Trustee Service of Australia.