

Direct Enrolment and Update

Privacy Impact Assessment

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AEC
Australian Electoral Commission

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1 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 per cent.

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.

The Electoral and Referendum Amendment (Maintaining Address) Act 2012 (Act No 110, 2012) and the Electoral and Referendum Amendment (Protecting Elector Participation) Act 2012 (Act No 111, 2012) received Royal Assent on 24 July 2012. The amendments to other legislation effected by the Schedules to Act No 111, 2012 commenced on 25 July 2012. These acts provide for a Direct Enrolment and Update process, by authorising the Electoral Commissioner, when satisfied, to enrol an elector or to update an elector's address.

A Direct Enrolment and Update process makes essentially one change to the current Continuous Roll Update mail review process. Where the AEC has high certainty about their identity and address, instead of receiving a letter inviting them to enrol, some electors will instead receive a letter proposing that they be enrolled or updated for a particular address and that they provide reasons as to why this action should not be taken.

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 reduce the estimated 1.5 million electors who are not currently enrolled.

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

Individuals would have 28 days to reply and provide a reason why they should not be enrolled, otherwise they will be enrolled as proposed on the letter. The AEC expects that this, in combination with other measures, will increase the number of eligible electors on the electoral roll.

This document identifies and assesses privacy issues that could arise in implementing the Direct Enrolment and Update process.

2 The Direct Enrolment and Update Project

2.1 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.

These sources of external 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 directed 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 per cent) 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. The AEC has access to databases of driver's licence and passport information and uses this data to verify the EOI provided by applicants.

2.2 The need for change

Despite electoral enrolment and voting being compulsory in Australia, enrolment participation has been declining for some time. As previously mentioned 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 the 2007 and 2010 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 for the AEC 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.

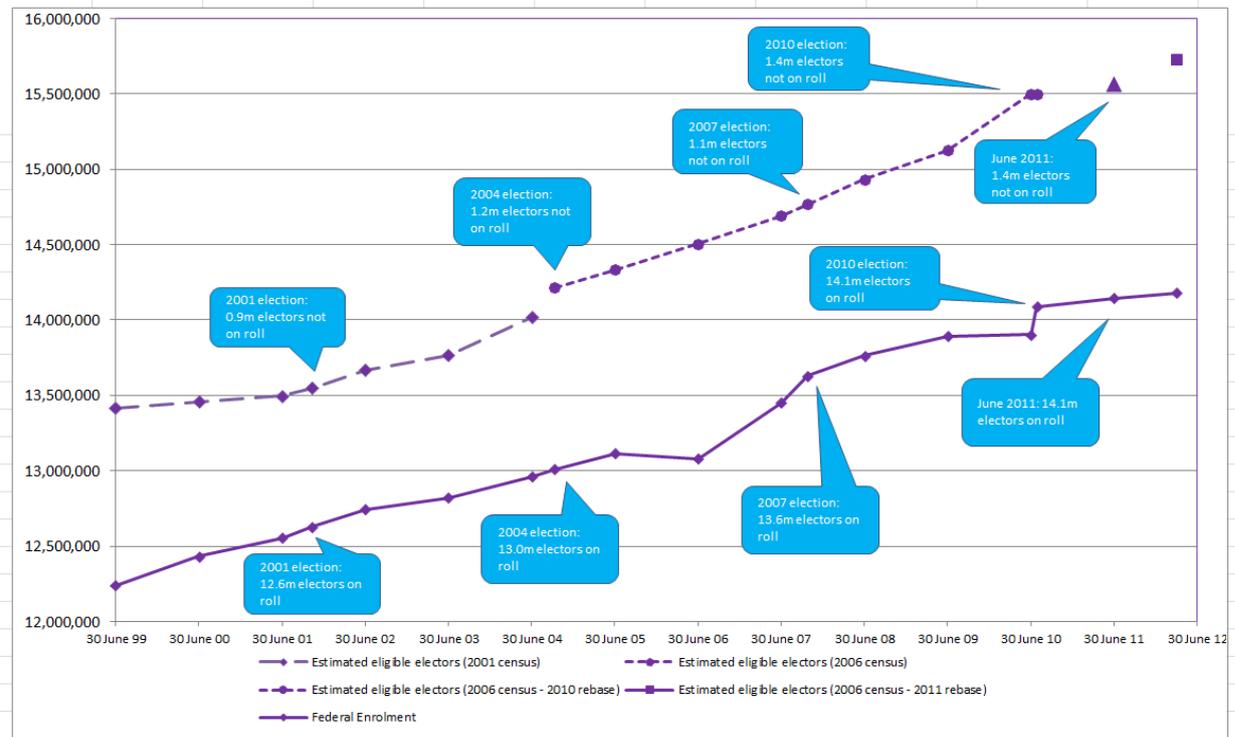


Figure 1 - Number of Enrolled electors vs. eligible population estimate

The AEC commissioned a research study into the reasons for non-enrolment. From the AEC’s 2010 federal election JSC EM 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.

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

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 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; ensuring easy access to enrolment forms; and by making the enrolment process easy for the elector. 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 the Australia.gov.au website 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 per cent, this is less than optimal. A regime of Direct Enrolment and Update would enhance the effectiveness of the enrolment program and lead to a more up to date and accurate 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".

2.2.1 State Initiatives

While two JSCEM inquiries have recommended federal Direct Enrolment and Update, the two largest states (NSW and Victoria) have already enacted their own schemes of direct enrolment and update with the Queensland Government announcing 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 correctly enrolled 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 prior to enactment of the *Electoral and Referendum Amendment (Maintaining Address) Act 2012* only recognised a claim (i.e. completed form) as the basis for enrolling⁵. The AEC followed up these electors to attempt to enrol them correctly for federal purposes, but response rates from this group are approximately 20 per cent to date.

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

It was expected that at the next federal election a significant number of people may attend their local polling place, only to find out that they were 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 in New South Wales and Victoria.

3 Project Description

3.1 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 Direct Enrolment and Update process will send the potential electors a notification letter. The notification letter will advise electors that the AEC intends to enrol or update their details. It will then give them the opportunity to respond to 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, or no legitimate reasons provided as to why the person should not be enrolled at the proposed address, the AEC will proceed with the enrolment transaction. Following this action the AEC will write to the elector confirming their enrolment.

AEC will use the same information⁶ from other government agencies as is currently used in CRU to identify potential electors. Sources of information to be used are determined by the Electoral Commissioner. At this stage, it is proposed data from Centrelink (Department of Human Services) and state and territory Road Transport Authorities (NEVDIS) will be used.

Where government agency 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 mail review process.

In order to establish Australian Citizenship for people born in Australia the AEC will seek births data from the state and territory 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*.

3.2 Personal Information Flow

The information flow is outlined at Figure 2, page 10. It consists of several steps described in the following sections.

3.2.1 Data in

Data is received from government agency sources. The Electoral Commissioner will determine appropriate government agency data sources for use in the FDEU 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 government agency. Only data relevant for electoral purposes will be sourced.

3.2.2 Matching and Integrity

Government agency data will be matched against the electoral roll to identify potential targets for enrolment and update. Matching will be done using information technology systems in the main, and in cases where a precise match cannot be made the matter will be referred to an AEC staff member for decision.

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. Secondly, it is critical to determine if an individual is an Australian citizen and therefore eligible to be enrolled. Finally it is certainty about the address. Enrolment and voting are address-based; therefore it is important to establish the appropriate address at which an elector should be enrolled.

The checks undertaken at this stage are numerous, and include but are not limited to:

- 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 electors identified as silent or those who have previously been removed from the roll due to non-citizenship).

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 are either diverted to the existing CRU mail review program or where they do not meet the relevant integrity business rules, are removed from the process.

Data from other government agencies 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.

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

3.2.3 Notify

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

3.2.4 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.

3.2.5 Enrolment Action

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

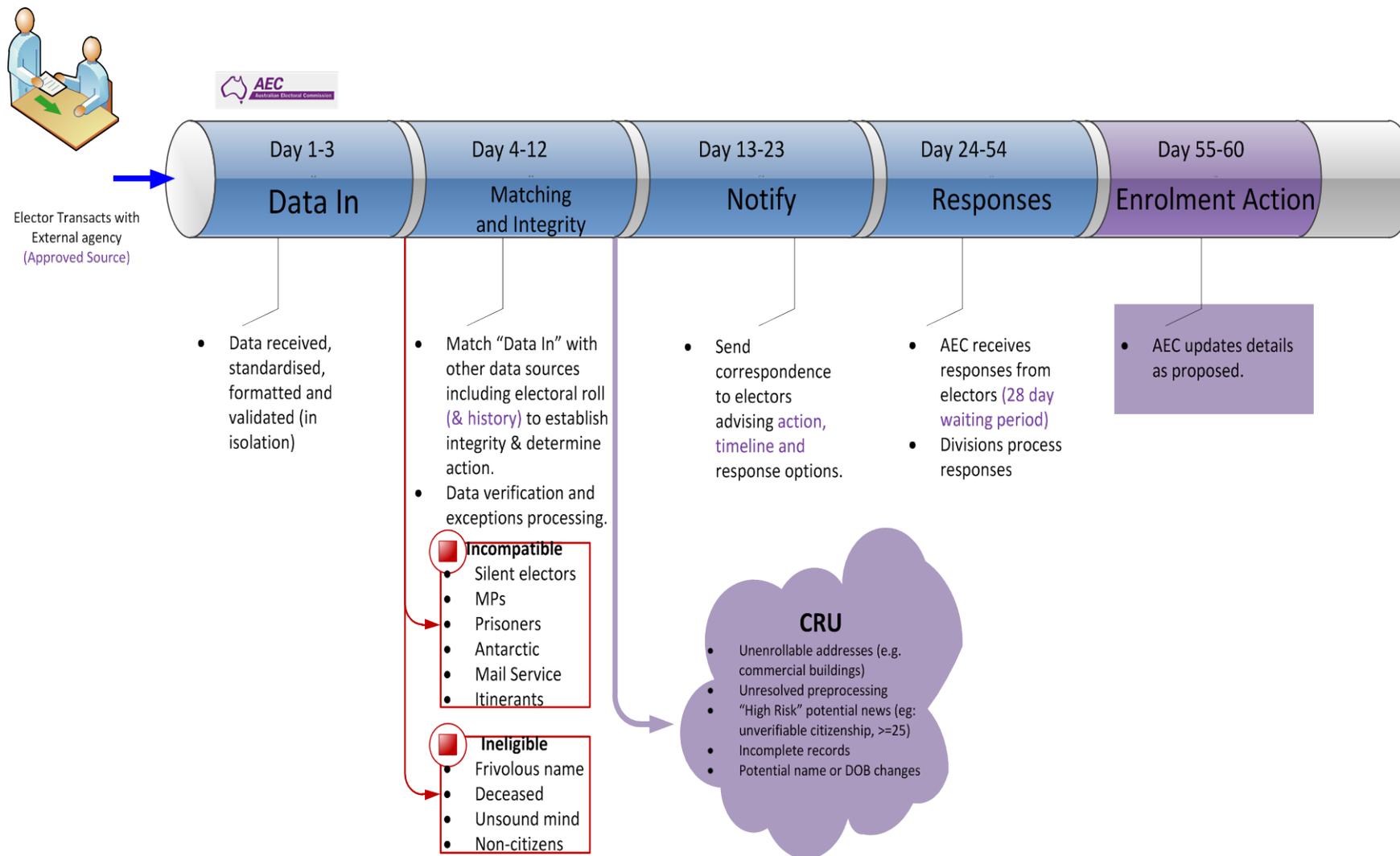


Figure 2 - The Direct Enrolment and Update process

4 Comparable programs

4.1 NSW

The NSW Electoral Commission commenced their direct update and enrolment process (called Smart Roll) 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 matching and integrity steps similar to the Direct Enrolment and Update process. The elector is then notified of the intention to enrol (via SMS, letter or email).

The individual then has seven days (rather than the 28 days allowed for FDEU) to advise of any legitimate reason why the enrolment action should not proceed. This can be done by telephone.

Between the commencement of Smart Roll and July 2012 more than 400 000 people were enrolled or updated as a result of Smart Roll⁹, at the 2011 state election 77.2 per cent of the electors enrolled via Smart Roll voted¹⁰. The NSWEC has surveyed a portion of the electors who had been enrolled in this way and their response was uniformly positive.

4.2 Victoria

The Victorian Direct Enrolment scheme is in many ways similar to the NSW process. 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 Victorian Electoral Commission (VEC) commenced Direct Enrolment with a trial using Victorian Tertiary Admission Centre data in the run-up to the Victorian state election in 2010. Since that time they have commenced using data from VicRoads. During 2011-12 the VEC enrolled or updated more than 40 000 people.

⁹ Source: NSW Electoral Commission

¹⁰ NSW Electoral Commission, *Annual Report 2010-11*, p. 49

5 Information Privacy Principles Analysis

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

The government agency data inputs to the Direct Enrolment and Update process are collected by government agencies¹¹ that interact with members of the public for their own legitimate purposes. Each of these government agencies collects personal information lawfully and for a purpose related to their lawful function.

These government 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 government agencies.

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.

5.2 Principle 2 - Solicitation of personal information from individual concerned

As previously outlined the 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 government agency suppliers of data to ensure the privacy notice issued by the government 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 government agencies supplying data include the following statement in the privacy notice that they use when collecting personal information:

¹¹ This includes Commonwealth and State and Territory government agencies.

The Australian Electoral Commission ('AEC') is authorised to collect from us information about you, such as name, date and place of birth, 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.

5.3 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 government agencies 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 government agency.

The AEC will continue to source information from existing government agency 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 government agency 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.

5.4 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 be applied as part of a Direct Enrolment and Update process.

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.

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

The AEC publishes information about the electoral roll and the 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 the Direct Enrolment and Update process 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.

5.6 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 under the Direct Enrolment and Update process. Current arrangements, including those stated in section 5.5 are prescribed by the CEA¹² and AEC policy and are consistent with IPP6.

5.7 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 the Direct Enrolment and Update process will change the use made of information but 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) the application of the AEC’s Enrolment Quality Assurance Program;

¹² See sections 105 and 106 and Part IX of the CEA.

- (b) the application of the AEC's GENESIS system to verify enrolment action;
- (c) the application of the measures described in section 5.8; and
- (d) correspondence being sent to an elector about the proposed enrolment action to be taken and inviting her or him to give reasons why that action should not be applied.

The record on the electoral Roll will reflect the outcome of that correspondence.

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

The AEC checks the accuracy etc. of personal information that it receives before use in revising the electoral Roll by applying the arrangements described below:

In relation to data received under the FDE it will make a check by applying its Data In, Matching and Integrity, and Notification steps of the FDE process to ensure the accuracy of the data used.

The Data In step ensures that the source of the information is the individual, and reliable. The source agency undertakes an Evidence of Identity process to ensure that the individual being interacted with is the same person the information relates to. The Matching and Integrity stage checks the individual data records to ensure the accuracy and suitability of the information, including establishing that the person is an Australian Citizen.

Further, the Notification step will allow the individual an opportunity to check and comment about the accuracy of the information before a decision is made. 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.

The update step applies the information including any comment by the individual to make a decision about whether it is appropriate to amend the electoral Roll in relation to that individual.

This process will ensure the accuracy of the information. Where the AEC is not satisfied about the accuracy of the information available, a CRU letter (requesting an enrolment form) will be sent, or the information will be excluded from the process.

5.9 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 from 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 CRU mail review arrangements. The *Electoral and Referendum Amendment (Protecting Elector Participation) Act 2012* has as its main aim to update the electoral roll through the use of data collected by other government agencies.

5.10 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) Act 2012* together with section 92 of the CEA will establish a clear authorisation for the use of the information obtained from government agency sources. These arrangements are consistent with paragraph 1(c) of IPP 10.

5.11 Principle 11 - Limits on disclosure of personal information

The AEC will use information obtained from government 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 government 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.

The general arrangement is that, subject to the exception where an elector seeking information in relation to herself or himself, general access to the personal information gathered in relation to the electoral Roll is forbidden except for the:

- right to inspect and take manual copies of information on the electoral Roll under section 90A of the CEA;

- provision of a copy of an electoral Roll or information contained on the electoral Roll to State and Territory electoral authorities under joint roll arrangements made under section 84 of the CEA;
- inspection of an electronic version of the electoral Roll at AEC offices in accordance with sections 90 and 90A of the CEA;
- provision of a copy of the electoral Roll or a copy of a certified list of voters to persons or organisations prescribed by or under section 90B of the CEA to:
 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.

6 Conclusion

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

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

The Direct Enrolment and Update process will leverage existing AEC arrangements for sourcing and using information from other government agencies 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 staff and system controls for receiving, using, managing and disclosing personal information as is currently in place for all government agency data sources and enrolment records in the AEC.

Glossary

Word/Acronym	Meaning
AEC	Australian Electoral Commission
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.
CRU	Continuous Roll Update – a program of activities where potential electors and electors who have moved are followed up for enrolment purposes.
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 they claim to be.
FDEU	Federal Direct Enrolment and Update – The process where an elector will be enrolled or their details updated on the basis of external information.
IPP	Information Privacy Principles. These principles are contained in the <i>Privacy Act 1988</i> , and set the standard to be met by all government agencies.
JSCEM	Joint Standing Committee on Electoral Matters – the parliamentary committee which examines election and enrolment related activities.
NEVDIS	National Exchange of Vehicle and Driver Information System
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
Centrelink	Australia
Qld Residential Tenancies Authority	Queensland
Australia Post	Australia
Austrroads Incorporated (NEVDIS)	Australia
WA Government Housing	Western Australia
Board of Studies ¹³	Australia
WA Land Information Authority (Landgate)	Western Australia
QLD Government Housing	Queensland
ACT Rental Bonds	Australian Capital Territory
ACT Electricity & Water	Australian Capital Territory
NT Electricity & Water	Northern Territory

¹³ This data is collected by each state and territory secondary student administration body.

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.