## Request for Elector Information for medical research

Requests for the provision of Elector Information for the purpose of conducting medical research may be made under subsection 90B(4), item 2 of the *Commonwealth Electoral Act 1918* (the Electoral Act).

Of specific concern to the AEC when assessing applications is whether:

* the project qualifies as medical research,
* the project is an appropriate use of the roll,
* the project has adequate measures in place to secure the data, and
* the benefits of the project outweigh the public interest in protecting elector privacy and has adequate measures in place to protect elector privacy.

In accordance with regulation 11(a) of the *Electoral and Referendum Regulation 2016*, a person or organisation requesting Elector Information for the purpose of conducting medical research must adhere to the National Health and Medical Research Council (NHMRC) [Guidelines issued under Section 95(1) of the Privacy Act 1988 (Cth)](https://www.legislation.gov.au/F2024L00463/asmade/2024-04-22/supportingmaterial2/original/pdf)(the Guidelines)*.*

Applicants must complete both parts of the assessment:

1. **Section 2 of the Guidelines.**
2. **AEC assessment requirements**

Submit this completed application form and accompanying documents at <https://formupload.aec.gov.au/Form?FormId=rps>

The provision of Elector Information for the purpose of conducting medical research is at the discretion of the Electoral Commission (or its delegate). Any release of Elector Information will be governed by a Safeguard Agreement entered into by the applicant with the AEC for the protection of personal information.

## Applicant details

|  |  |
| --- | --- |
| Applicant/s (persons or organisation): |  |
| Name of accountable person: |  |
| Contact/s: |  |
| Program title: |  |

## Specify what data is required

Type of extract

Copy of the whole roll

Extract of the roll

Frequency

Single extract

Multiple extracts: Frequency:

Location

If you require an extract of the roll, do you require a random selection of Elector Information from:

Australia wide

Certain state/s or territory/s (specify):

All electoral divisions

Specific electoral division/s:

Data required

Elector Information may contain de-identified data only- this means that only address information will be supplied. Names can be provided at the Electoral Commissioner’s or delegate’s discretion. Sex and date of birth data is not available to applications made under subsection 90B(4), item 3 of the Electoral Act.

Number of elector records required:

Is there a specific date you need the data to be available?

## Responses to section 2 of NHMRC guidelines

**The following criteria are stipulated by section 2 of the Guidelines - *Procedures to be followed by researchers***

* 1. The researcher must give a written proposal for the research to an HREC, with any information necessary for members of that HREC to meet their responsibilities under the Guidelines. Guidance on the information to be included in the written proposal is set out in paragraph 2.4 of the Guidelines.

|  |
| --- |
| ***Applicant response*** |

* 1. When research may involve a breach of one or more APPs, the proposal for that research to be submitted to an HREC must contain a reference to the APP(s) and must also state reasons for believing that the public interest in the medical research outweighs, to a substantial degree, the public interest in complying with the APP(s). The proposal must provide the HREC with the necessary information to enable the HREC to weigh the public interest considerations in accordance with section 3.3 of the Guidelines.

***While Section 95 of the Privacy Act refers to the APPs generally, the most common breach or potential breach of the APPs requiring the use of these guidelines will be one involving disclosure, which would otherwise be prohibited by APP 6— use or disclosure of personal information.***

|  |
| --- |
| ***Tip:*** *The AEC must be satisfied that the applicant is aware of and understands their APP obligations and responsibilities under the Privacy Act 1988. In particular:*   * *Management of personal information (APP 1 & 2)* * *Collection of personal information (APP 3 & 5)* * *Use and disclosure of personal information (APP 6)* * *Security of personal information (APP 11)* * *Access to personal information (APP 12)*   *Provide a statement of assurance that you understand your obligations and responsibilities and how you will protect these principles.*  ***Applicant response*** |

* 1. In the proposal for the conduct of each research project, the researcher should state:
  2. The aims of the medical research.

|  |
| --- |
| ***Applicant response*** |

* 1. The credentials and technical competence of the medical researcher(s).

|  |
| --- |
| ***Applicant response*** |

* 1. The data needed and how it will be analysed.

***Note:*** *The number of records requested in the medical researcher’s application must match the number of records approved by the relevant HREC. If the number of records requested in the medical researcher’s application exceeds the number of records approved by the relevant HREC, then the medical researcher must seek an additional approval from the relevant HREC for the revised figure.*

|  |
| --- |
| ***Applicant response*** |

* 1. If sensitive information is to be used, why is it necessary?

***Note:*** *Answer this in the context of sensitive personal information from the electoral roll.*

|  |
| --- |
| ***Applicant response*** |

* 1. The source of the data.

|  |
| --- |
| ***Applicant response*** |

* 1. The study period.

|  |
| --- |
| ***Applicant response*** |

* 1. The target population.

|  |
| --- |
| ***Applicant response*** |

* 1. The reasons why de-identified cannot achieve the relevant purpose of the research activity.

|  |
| --- |
| ***Applicant response*** |

* 1. The reasons why it is impracticable to seek consent from the individual for the use or disclosure of the personal information.

|  |
| --- |
| ***Applicant response*** |

* 1. The specific use or disclosures that will be made of the personal information.

|  |
| --- |
| ***Applicant response*** |

* 1. The proposed method of publication of results of the medical research and a statement that any health information to be used or disclosed will not be published unless in de-identified form.

|  |
| --- |
| ***Applicant response*** |

* 1. The estimated time of retention of the personal information.

|  |
| --- |
| ***Applicant response*** |

* 1. The identity of the custodian(s) of the personal information used during the medical research.

|  |
| --- |
| ***Applicant response*** |

* 1. The security standards to be applied to the personal information. In particular, that personal information will be retained in accordance with the Responsibilities of institutions (R8) in the *Australian Code for the Responsible Conduct of Research, 2018*, and in a form that is at least as secure as it was in the sources from which the personal information was obtained unless more stringent legislative or contractual provisions apply.

|  |
| --- |
| ***Tip:*** *The AEC must be satisfied that the applicant has the means to secure sensitive Commonwealth Data. Applicants are required to describe:*  *How this will be achieved and with what measures and procedures?*  *Who will access to Elector Information be restricted to?*  *Where the data will be stored?*  *How long will the data be stored?*  ***Applicant response*** |

* 1. A list of personnel with access to the personal information including any contractors or subcontractors.

|  |
| --- |
| ***Applicant response*** |

* 1. The standards that will be applied to protect personal information disclosed by an agency. These should include the:

1. terms of any disclosure agreement between the agency and the researcher to govern the limits on use and disclosure of that personal information.

|  |
| --- |
| ***Applicant response*** |

1. proposed methods of disposal of the personal information on the completion of the research, and that these are in accordance with the Archives Act, 1983 for Commonwealth records and legislative requirements of a State or Territory of any disclosure agreement between the agency and the medical researcher to govern the limits on use and disclosure of that personal information.

|  |
| --- |
| ***Tip****: Refer to the AEC’s Instructions for the destruction and deletion of elector information.*  ***Applicant response*** |

1. standards that will be applied to protect privacy of personal information where it is made available to other researchers or third parties if that is proposed.

|  |
| --- |
| ***Consider:*** *will you be using a third-party mailing house to contact participants?*   * 1. ***Applicant response*** |

* 1. Any proposal to send data overseas for the purpose of the research project including the names of the countries to which it is proposed the data be sent and how the research project will comply with APP 8 of the *Privacy Act 1988*.

|  |
| --- |
| ***Applicant response*** |

* 1. A researcher should provide to the agency from which personal information is sought written notification of the decision of an HREC made in accordance with the Guidelines.

|  |
| --- |
| ***Applicant response*** |

* 1. If a researcher uses personal information obtained from an agency in accordance with the Guidelines to contact a person, the medical researcher must inform that person:

1. that personal information has been provided by that agency in accordance with the Guidelines:

|  |
| --- |
| ***Applicant response*** |

1. How that information will be used.

|  |
| --- |
| ***Applicant response*** |

1. That he or she is free at any time to withdraw consent for further involvement in the research.

|  |
| --- |
| ***Applicant response*** |

1. Of the standards that will apply to protect the privacy of that person.

|  |
| --- |
| ***Applicant response*** |

1. Of existing complaint mechanisms to HRECs and the Commissioner (Australian Information Commissioner).

|  |
| --- |
| ***Applicant response*** |

* 1. The researcher must immediately report to the HREC anything that might warrant review of ethical approval of the research proposal.

|  |
| --- |
| ***Applicant response*** |

## AEC assessment requirements

1. Does the research qualify as medical research?

For an activity to be considered as medical research it must:

* Involve the diagnosis and/or treatment and/or prevention of disease, and
* Be relevant to public health and safety, and/or
* Relate to the provision, funding or monitoring of health services.

Medical research may include epidemiological research.

|  |
| --- |
| Acceptable: Yes/TBA/No |
| ***Applicant response*** |

1. Provide evidence of approval for the research proposal by your university’s/organisation’s Human Research Ethics Committee (HREC).

|  |
| --- |
| Acceptable: Yes/TBA/No |
| ***Applicant response*** |

1. Provide evidence of HREC approval to obtain the number of elector records requested from the AEC.

|  |
| --- |
| Acceptable: Yes/TBA/No |
| ***Applicant response*** |

1. Justify the requested number of elector records including evidence for the basis for the response rate.

|  |
| --- |
| Acceptable: Yes/TBA/No |
| ***Applicant response*** |

1. Does the project guarantee that identifiable information will not be sent overseas?

|  |
| --- |
| Acceptable: Yes/TBA/No |
| ***Applicant response*** |

1. Does the project intend to use identifiable information for the purpose of data matching? E.g. matching personal information such as names you already have against Elector Information.

|  |
| --- |
| Acceptable: Yes/TBA/No |
| ***Applicant response*** |

1. Does the project intend to use Elector Information for commercial purposes?

|  |
| --- |
| Acceptable: Yes/TBA/No |
| ***Applicant response*** |

1. Does the project adhere to the Guidelines? (refer previous section, questions 2.2 to 2.7).

|  |
| --- |
| Acceptable: Yes/TBA/No |
| ***Applicant response*** |

1. Unless specified otherwise, the default period after which you must delete Elector Information is six months from the date of receipt. Specify how long you require Elector Information, including if the data is required for less than six months and a justification if longer than six months.

|  |
| --- |
| Acceptable: Yes/TBA/No |
| ***Applicant response*** |

## Declaration

I declare that the information provided in this application to receive electoral roll information from the AEC is accurate to the best of my knowledge.

[Applicant signature]

[Applicant name]

[Organisation/research institution]

[Date]