

LEX6865

Nosey Rosey  
By email: [foi+request-12579-47b4081a@righttoknow.org.au](mailto:foi+request-12579-47b4081a@righttoknow.org.au)

Dear Nosey Rosey

**FOI Request: Freedom of Information Request No. LEX 6865**

**Your FOI Request**

On 14 December 2024 you wrote to the Australian Electoral Commission (**AEC**) seeking access under the *Freedom of Information Act 1982* (the FOI Act) to:

*I seek access to any and all documents, records, data, and supporting material held by [Name of Agency] concerning the sharing of personal information originating from the Department of Veterans' Affairs (DVA) over the last ten years. This includes any data transfers from or to the DVA, whether they were one-off exchanges or ongoing, systematic transfers of DVA client information, including personal, medical, financial, or service-related details concerning veterans or their dependents.*

...

*All records of data sharing arrangements between DVA and [Authority name], including but not limited to memoranda of understanding, service-level agreements, emails, letters, meeting minutes, file transfer logs, internal reports, and instructions that outline what data was shared, when it was shared, and the format or system used for the transfer.*

...

*Any policies, procedures, guidelines, or frameworks that govern how [Authority name] requests, obtains, stores, handles, or uses DVA client information. This includes documents that detail the criteria for approving access to such data, any consent or authorization processes, security controls, and retention or destruction policies.*

...

*Copies of any ethics committee approvals, privacy impact assessments, internal review board decisions, or other documents that reflect deliberations or authorizations for obtaining DVA client information. This includes records that show the agency considered the ethical, legal, or privacy implications of receiving or using DVA client data.*

...

*Documents that outline the intended uses or practical applications of the DVA client data, such as project proposals, business cases, internal strategy papers, or briefings that explain why [Authority name] sought access to this information, how it was intended to be integrated into the agency's operations, and any expected outcomes or benefits.*

On Tuesday 24<sup>th</sup> of December 2024, the AEC wrote to you in accordance with s 24AA and s 24AB of the FOI Act indicating that we were considering refusing your request on the basis of a practical refusal reason. In that correspondence we indicated that a practical refusal reason exists because: the request does not sufficiently identify the request documents (s 24AA(1)(b)); and the resource impact of processing the request would be substantial and unreasonable (s 24AA(1)(a)). In giving you an opportunity to revise your FOI request under a section 24AB consultation, we took reasonable steps to help you revise the request including suggesting ways to frame the request so to reduce the processing workload and identify the documents within scope.

You provided a response on Monday 30<sup>th</sup> December 2024. In your response, you confirmed that you did not wish to revise the scope of the request, other than excluding duplicate and draft versions of documents, and the personal information of AEC staff (other than senior executives).

### **Identification of Documents**

With regard to the practical refusal reasons above, including the difficulty identifying documents within the scope of the request, I contacted a number of relevant areas of the AEC in order to identify documents relevant to the request. These areas conducted a range of searches in order to attempt to determine the extent of the documents covered by this scope.

### **Decision**

With regard to the information you have provided in your response, I have decided to refuse the request on the basis that a practical refusal reason exists.

It is my assessment that your FOI request in its current form did not sufficiently identify the request documents, and the work involved in processing your FOI request would substantially and unreasonably divert the resources of the AEC from its other operations in the lead-up to a federal election. This is grounds for a practical refusal under section 24(1)(a) and (b) of the FOI Act. I am satisfied that the AEC has taken reasonable steps to attempt to identify the documents, ascertain the resources required to process this request, and assist you to revise the request.

More information, including my reasons for my decision, is set out in **Attachment A**.

### **Review Rights**

You are entitled to seek review of this decision. **Attachment B** sets out your rights to apply for review if you are dissatisfied with my decision.

Yours sincerely

**Megan**

**(862-35483)**