

LEX2846

Andrew  
By email: RighttoKnow

Dear Andrew

## FOI Request: Freedom of Information Request No. LEX2846

### Your FOI Request

On 18 May 2022 you wrote to the Australian Electoral Commission (**AEC**) seeking access under the *Freedom of Information Act 1982* (the FOI Act) to:

- all documents, including but not limited to ministerial briefs and internal and external correspondence, relating to the development of the Electoral Legislation Amendment (COVID Enfranchisement) Bill 2022 and the Commonwealth Electoral (COVID Enfranchisement) Regulations 2022 (**Category A**);
- any advice to AEC social media staff and call-centre workers on how to assist voters who are COVID-positive during the election period (**Category B**);
- any policy documents relating to the use of postal voting for COVID-positive voters (**Category C**);
- a list of files from the AEC's record management systems whose titles or descriptions contain the words "COVID", "COVID-19", "coronavirus" or "pandemic" (**Category D**).

On 6 June 2022, you agreed to narrow the scope of the FOI request to:

- all drafts of legislation, drafts of explanatory material, policy tables, policy papers, executive briefs and ministerial briefs relating to the development of the COVID Enfranchisement Bill and Regulations;
- any advice to AEC social media staff and call-centre workers on how to assist voters who are COVID-positive during the election period;
- any policy documents relating to the use of postal voting for COVID-positive voters;
- a list of files from the AEC's record management systems whose titles or descriptions contain the words "COVID", "COVID-19", "coronavirus" or "pandemic".

You also agreed to extend the timeframe of this FOI request to 20 July 2022 to allow the AEC further time to process your request (s 15AA FOI Act).

We thank you for your cooperation and understanding in this regard.

Following this, the Office of the Australian Information Commissioner granted a further extension to 19 August 2022 on the basis that the request is complex and voluminous (s 15AC FOI Act).

On 2 August 2022 we provided you with a decision and relevant documents in relation to **Categories B, C & D**.

I am writing to you today to give you my decision in relation to the documents within scope of **Category A** for this FOI request.

### Identification of Documents

I identified 14 documents that fell within the scope of your FOI Request (the 'Relevant Documents').

The schedule of documents in **Attachment A** provides a description of each of the Relevant Documents and the access decision for each of the Relevant Documents.

I did this by contacting the relevant business areas and requesting a copy of all relevant documents.

### Decision

With regard to the Relevant Documents identified in **Attachment A** I have decided grant:

- Access in full: Documents 1, 2 and 14.
- Refuse access: Documents 3-13.

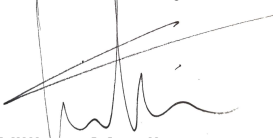
The relevant documents are provided as a separate attachment to this decision.

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

### Review Rights

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

Yours sincerely



William Mueller  
Principal Government Lawyer  
Legal and Procurement Branch  
19 August 2022