

FOI REQUEST NO. LS5563

Request for documents relating to:

all compliance reviews undertaken since the release of previous FOI request LS5191.

SCHEDULE OF RETRIEVED DOCUMENTS

Document No.	Description	Date	Decision
1.	Compliance Investigation Report <i>Liberal Party (WA Division) Inc. 2012-13</i>	?/03/2015	
	<p>1.1 Document No. 1 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>1.2 Document No. 1 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>1.3 I decided that access to Document No. 1 be refused</p>		
2.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Alfred Cove State Campaign</i></u>	?/03/2015	
	<p>2.1 Document No. 2 is part of a document published for reference at</p>		

	<p>http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>2.2 Document No. 2 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>2.3 I decided that access to Document No. 2 be refused.</p>		
3.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Balcatta State Campaign</i></u>	~/03/2015	
	<p>3.1 Document No. 3 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>3.2 Document No. 3 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>3.3 I decided that access to Document No. 3 be refused.</p>		
4.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Bunbury State Campaign</i></u>	~/03/2015	
	<p>4.1 Document No. 4 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>4.2 Document No. 4 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p>		

	4.3	I decided that access to Document No. 4 be refused .	
5.		Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Cottesloe State Campaign</i></u>	?/03/2015
	5.1	Document No. 5 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf .	
	5.2	Document No. 5 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.	
	5.3	I decided that access to Document No. 5 be refused .	
6.		Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Dalkeith Branch</i></u>	?/03/2015
	6.1	Document No. 6 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf .	
	6.2	Document No. 6 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.	
	6.3	I decided that access to Document No. 6 be refused .	
7.		Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Denmark Branch</i></u>	?/03/2015

	<p>7.1 Document No. 7 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>7.2 Document No. 7 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>7.3 I decided that access to Document No. 7 be refused.</p>		
8.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Dunborough Branch</i></u>	?/03/2015	
	<p>8.1 Document No. 8 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>8.2 Document No. 8 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>8.3 I decided that access to Document No. 8 be refused.</p>		
9.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Dunsborough Branch</i></u>	?/03/2015	
	<p>9.1 Document No. 9 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>9.2 Document No. 9 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p>		

	Act.		
	9.3 I decided that access to Document No. 9 be refused .		
10.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Kelmscott Branch</i></u>	~/03/2015	
	10.1 Document No. 10 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf .		
	10.2 Document No. 10 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.		
	10.3 I decided that access to Document No. 10 be refused .		
11.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Morley State Campaign</i></u>	~/03/2015	
	11.1 Document No. 11 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf .		
	11.2 Document No. 11 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.		
	11.3 I decided that access to Document No. 11 be refused .		
12.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc.</i></u>	~/03/2015	

	<u>2012-13 – Nedlands Branch</u>		
	<p>12.1 Document No. 12 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>12.2 Document No. 12 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of ‘document’ provided by subsection 4(1) of the FOI Act.</p> <p>12.3 I decided that access to Document No. 12 be refused.</p>		
13.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Nedlands State Campaign</i></u>	?/03/2015	
	<p>13.1 Document No. 13 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>13.2 Document No. 13 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of ‘document’ provided by subsection 4(1) of the FOI Act.</p> <p>13.3 I decided that access to Document No. 1313 be refused.</p>		
14.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – O’Connor Federal Campaign</i></u>	?/03/2015	
	<p>14.1 Document No. 14 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p>		

	<p>14.2 Document No. 14 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>14.3 I decided that access to Document No. 14 be refused.</p>		
15.	<p>Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Parliamentary Liberal Party WA</i></u></p>	<p>?/03/2015</p>	
	<p>15.1 Document No. 15 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>15.2 Document No. 15 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>15.3 I decided that access to Document No. 15 be refused.</p>		
16.	<p>Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Mathias Cormann – Campaign Account</i></u></p>	<p>?/03/2015</p>	
	<p>16.1 Document No. 16 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>16.2 Document No. 16 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>16.3 I decided that access to Document No. 16 be refused.</p>		

17.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Tangey Marginal Seats Campaign</i></u>	?/03/2015	
	<p>17.1 Document No. 17 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>17.2 Document No. 17 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>17.3 I decided that access to Document No. 17 be refused.</p>		
18.	Compliance Investigation Report <u><i>Liberal Party (WA Division) Inc. 2012-13 – Vasse State Campaign</i></u>	?/03/2015	
	<p>18.1 Document No. 18 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>18.2 Document No. 18 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>18.3 I decided that access to Document No. 18 be refused.</p>		
19.	Compliance Investigation Report <i>The 500 Club 2012-13 Annual Disclosure Return</i>	?/04/2015	
	<p>19.1 Document No. 19 relates to the compliance audit of the return by The 500 Club for the 2012-13 financial year (the '2012-13</p>		

Return').

Business information

Consultation

19.2 The 2012-13 Return is published by the AEC at <http://periodicdisclosures.aec.gov.au>Returns/51/RFFL5.pdf>.

19.3 As a consequence the matters relating to 2012-13 Return are well known and The 500 Club is known to be associated with those matters.

19.4 In those circumstances it was open to me to determine under subsection 27(3) of the FOI Act that The 500 Club could not reasonably wish to make an exemption contention because of business information in Document No. 19.

Consideration

19.5 Document No. 19 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely The 500 Club.

19.6 Document No. 19 is conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of that:

- (a) would, or could reasonably be expected to, unreasonably affect ALP (Western Australian Branch) in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

19.7 For the reasons narrated at items 19.2 and 19.3 it was open to me to **found** that disclosure of Document No. 19:

- (a) does not unreasonably affect The 500 Club in respect of its lawful business, commercial or financial affairs; and

(b) could not reasonably be expected to affect The 500 Club in respect of its lawful business, commercial or financial affairs.

Personal Information

19.8 Document No. 19 contains personal information to which section 47F of the FOI Act applies about the following individuals:

(a) Kate O'Hara, Chairman of The 500 Club being her name;

(b) Sally Healy, Administration Manager

(c) Anna Jurkiewicz, Assistant Director, Funding and Disclosure Branch AEC being her name; and

(d) Warren Kelly, Compliance Officer, Funding and Disclosure Branch AEC being his name.

19.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

19.10 As regards to giving access to the names of Ms Jurkiewicz and Mr Kelly there is no special circumstance that militates against disclosure.

19.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of an associated entity given that their functions regarding their entity is analogous to the functions of a Commonwealth official regarding the employment.

19.12 As regards to giving access to the names of Ms O'Hara and Ms Healy, there is no special circumstance that militates against disclosure.

19.13 I therefore:

(a) **found** that:

	<p>(i) disclosure of Document No. 19:</p> <p>(A) would not unreasonably affect The 500 Club in respect of its lawful business, commercial or financial affairs; and</p> <p>(B) could not reasonably be expected to affect The 500 Club in respect of its lawful business, commercial or financial affairs; and</p> <p>(ii) there is no special circumstance that militates against disclosure of the names of Ms O'Hara, Ms Healy, Ms Jurkiewicz and Mr Kelly; and</p> <p>(b) decided to give access to Document No. 19.</p>		
20.	Compliance Investigation Report <u><i>Liberal Party (ACT Division)</i></u>	?/06/2015	
	<p>20.1 Document No. 20 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>20.2 Document No. 20 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>20.3 I decided that access to Document No. 20 be refused.</p>		
21.	Compliance Investigation Report <u><i>Liberal Party 2013-14 Annual Return</i></u>	?/10/2015	
	<p>21.1 Document No. 21 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p>		

	<p>21.2 Document No. 21 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>21.3 I decided that access to Document No. 21 be refused.</p>		
<p>22.</p>	<p>Compliance Investigation Report <i>1973 Foundation Pty Ltd</i></p>	<p>?/04/2015</p>	<p>22.1 Document No. 22 relates to the compliance audit of the return by the 1973 Foundation Pty Ltd for the 2012-13 financial year (the '2012-13 Return').</p> <p>Business information</p> <p>Consultation</p> <p>22.2 The 2012-13 Return is published by the AEC at Returns/51/RCRH2.pdf">http://periodicdisclosures.aec.gov.au>Returns/51/RCRH2.pdf.</p> <p>22.3 As a consequence the matters relating to 2012-13 Return are well known and the 1973 Foundation Pty Ltd is known to be associated with those matters.</p> <p>22.4 Attachment A of Document No. 22 names the banker and account number of 1973 Foundation Pty Ltd.</p> <p>22.5 It is patently obvious that giving access to the bank account details of 1973 Foundation Pty Ltd would, or could reasonably be expected to, unreasonably affect 1973 Foundation Pty Ltd in respect of its lawful business, commercial or financial affairs because such information could be used to facilitate an electronic attack on the bank account.</p> <p>Consideration</p> <p>22.6 Document No. 22 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the 1973 Foundation Pty Ltd.</p>

- 22.7 Document No. 22 is conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:
- (a) would, or could reasonably be expected to, unreasonably affect 1973 Foundation Pty Ltd in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
 - (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).
- 22.8 For the reasons narrated at items 22.2 to 22.5, it is open to me to **found** that disclosure of:
- (a) Attachment A of Document No. 22 could reasonably be expected to affect the 1973 Foundation Pty Ltd in respect of its lawful business, commercial or financial affairs in as much as it names the banker and account number of 1973 Foundation Pty Ltd; and
 - (b) the remainder of Document No. 22:
 - (i) does not unreasonably affect the 1973 Foundation Pty Ltd in respect of its lawful business, commercial or financial affairs; and
 - (ii) could not reasonably be expected to affect the 1973 Foundation Pty Ltd in respect of its lawful business, commercial or financial affairs.
- Personal Information***
- 22.9 Document No. 22 contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Dan Ashcroft, company secretary of the 1973 Foundation Pty Ltd being his name;
 - (b) Seema Srivastava, Assistant Commissioner, AEC being her name and a facsimile of her signature.

- 22.10 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.
- 22.11 As regards to giving access to:
- (a) Ms Srivastava's name there is no special circumstance that militates against disclosure.
 - (b) a facsimile of Ms Srivastava's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure.
- 22.12 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.
- 22.13 As regards to giving access to Dan Ashcroft's name, there is no special circumstance that militates against disclosure.
- 22.14 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.
- 22.15 The balance of competing public interest after considering the objects of the FOI Act and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 22 are outweighed by the possibility of harm to:
- (a) 1973 Foundation Pty Ltd occasioned by disclosing the name of its banker and bank account details
 - (b) Ms Srivastava occasioned by identity theft using a facsimile of her signature.
- 22.16 It is both possible and practicable to prepare an edited copy of Document No. 22 from which:
- (a) the banker and account number of 1973 Foundation Pty Ltd, and

(b) the facsimile of Ms Srivastava's signature,
are redacted.

22.17 I therefore:

(a) **found** that:

(i) disclosure of Document No. 22:

(A) would unreasonably affect the 1973 Foundation Pty Ltd in respect of its lawful business, commercial or financial affairs; and

(B) could reasonably be expected to affect the 1973 Foundation Pty Ltd in respect of its lawful business, commercial or financial affairs;

(ii) Document No. 22 is conditionally exempt under section 47G of the FOI Act;

(iii) there is no special circumstance that militates against disclosure of the names of Seema Srivastava and Dan Ashcroft;

(iv) as regards to giving access to a facsimile of Ms Srivastava's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure;

(v) Document No. 22 is conditionally exempt under section 47F of the FOI Act;

(vi) the balance of competing public interests favours treating Document No. 22 as exempt from access; and

(vii) it is both possible and practicable to prepare an edited copy of Document No. 22 from which:

(A) the facsimile of Ms Srivastava's signature; and

	<p>(B) the name of the banker and account number of 1973 Foundation Pty Ltd, are redacted;</p> <p>(b) decided to refuse access to Document No. 22 and offer in lieu access to an edited copy of Document No. 22 from which:</p> <p>(i) the facsimile of Ms Srivastava's signature; and</p> <p>(ii) the name of the banker and account number of 1973 Foundation Pty Ltd, are redacted.</p>		
<p>23.</p>	<p>Compliance Investigation Report <i>Food Preservers Union of WA Union of Workers 2012-13 Annual Disclosure Return</i></p> <p>23.1 Document No. 23 relates to the compliance audit of the return by the Food Preservers Union of WA Union of Workers for the 2012-13 financial year (the '2012-13 Return').</p> <p><i>Business information</i></p> <p>Consultation</p> <p>23.2 The 2012-13 Return is published by the AEC at: Returns/51/REHS7.pdf">http://periodicdisclosures.aec.gov.au>Returns/51/REHS7.pdf.</p> <p>23.3 As a consequence the matters relating to 2012-13 Return are well known and the Food Preservers Union of WA Union of Workers is known to be associated with those matters.</p> <p>23.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Food Preservers Union of WA Union of Workers could not reasonably wish to make an exemption contention because of business information in Document No. 23.</p>	<p>?/04/2015</p>	

Consideration

- 23.5 Document No. 23 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Food Preservers Union of WA Union of Workers.
- 23.6 Document No. 23 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:
- (a) would, or could reasonably be expected to, unreasonably affect ALP (Western Australian Branch) in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
 - (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).
- 23.7 For the reasons narrated at items 23.2 and 23.3 it is open to me to **found** that disclosure of Document No. 23:
- (a) does not unreasonably affect the Food Preservers Union of WA Union of Workers in respect of its lawful business, commercial or financial affairs; and
 - (b) could not reasonably be expected to affect the Food Preservers Union of WA Union of Workers in respect of its lawful business, commercial or financial affairs.

Personal Information

- 23.8 Document No. 23 contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Peter O'Keefe, General Secretary of the Food Preservers Union of WA Union of Workers, being his name;
 - (b) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name;

(c) Brad Edgman, Director, Funding and Disclosure Branch, AEC, being his name; and

(d) Mary-Anne Waters, Assistant, Funding and Disclosure Branch.

Names and work details of officials

23.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

23.10 As regards to giving access to the names of Seema Srivastava Brad Edgman and Mary-Anne Waters, there is no special circumstance that militates against disclosure.

23.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

23.12 As regards to giving access to the names of Peter O'Keefe there is no special circumstance that militates against disclosure.

23.13 I therefore:

(a) **found** that:

(i) disclosure of Document No. 23:

(A) would not unreasonably affect the ALP (Western Australia Branch) in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect the ALP (Western Australia Branch) in respect of its lawful business, commercial or financial affairs; and

(ii) there is no special circumstance that militates against disclosure of the names of Peter O'Keefe, Seema

	Srivastava Brad Edgman, Alan Page and Paul Lau; and		
	(b) decided to give access to Document No. 23.		
24.	ALP Western Australia 2012-13	?/04/2015	
	<p>24.1 Document No. 24 relates to the compliance audit of the return by the ALP (Western Australian Branch) for the 2012-13 financial year (the '2012-13 Return').</p> <p><i>Business information</i></p> <p style="text-align: center;">Consultation</p> <p>24.2 The 2012-13 Return is published by the AEC at: Returns/51/RGVH1.pdf">http://periodicdisclosures.aec.gov.au>Returns/51/RGVH1.pdf.</p> <p>24.3 As a consequence the matters relating to 2012-13 Return are well known and the ALP (Western Australian Branch) is known to be associated with those matters.</p> <p>24.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the ALP (Western Australian Branch) could not reasonably wish to make an exemption contention because of business information in Document No. 24.</p> <p style="text-align: center;">Consideration</p> <p>24.5 Document No. 24 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the ALP (Western Australian Branch).</p> <p>24.6 Document No. 24 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:</p> <p>(a) would, or could reasonably be expected to, unreasonably affect ALP (Western Australian Branch) in respect of its</p>		

lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or

- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

24.7 For the reasons narrated at items 24.2 and 24.3 it is open to me to **found** that disclosure of Document No. 24:

- (a) does not unreasonably affect the ALP (Western Australian Branch) in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect the ALP (Western Australian Branch) in respect of its lawful business, commercial or financial affairs.

Personal Information

24.8 Document No. 24 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Simon Mead, party agent of the ALP (Western Australian Branch), being his name;
- (b) Julie Bogle, Finance/Administration Manger of the ALP (Western Australian Branch, being her name;
- (c) Gary Gray of the ALP (Western Australian Branch);
- (d) Senator G Sterle of the ALP (Western Australian Branch)
- (e) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature;
- (f) Brad Edgman, Director, Funding and Disclosure Branch, AEC, being his name;

(g) Alan Page, Assistant Director, Funding and Disclosure Branch, AEC, being his name; and

(h) Paul Lau, Compliance Officer, Funding and Disclosure Branch.

Names and work details of officials

24.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

24.10 As regards to giving access to the names of Brad Edgman, Alan Page and Paul Lau, there is no special circumstance that militates against disclosure.

24.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

24.12 As regards to giving access to the names of Simon Mead, Julie Bogle, the Hon Gary Gray and Senator G Sterle there is no special circumstance that militates against disclosure.

24.13 I therefore:

(a) **found** that:

(i) disclosure of Document No. 24:

(A) would not unreasonably affect the ALP (Western Australia Branch) in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect the ALP (Western Australia Branch) in respect of its lawful business, commercial or financial affairs; and

(ii) there is no special circumstance that militates against disclosure of the names of Simon Mead, Julie Bogle, the

Hon Gary Gray and Senator G Sterle, Brad Edgman, Alan Page and Paul Lau; and

(b) **decided to give access** to Document No. 24.

25.

Compliance Investigation Report *United Firefighters Union of Australia (WA Branch) 2012-13 Annual Disclosure Return*

?/04/2015

25.1 Document No. 25 relates to the compliance audit of the return by the United Firefighters Union of Australia (WA Branch) for the 2012-13 financial year (the '2012-13 Return').

Business information

Consultation

25.2 The 2012-13 Return is published by the AEC at: <http://periodicdisclosures.aec.gov.au>Returns/51/RJJZ1.pdf>.

25.3 As a consequence the matters relating to 2012-13 Return are well known and the United Firefighters Union of Australia (WA Branch) is known to be associated with those matters.

25.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the United Firefighters Union of Australia (WA Branch) could not reasonably wish to make an exemption contention because of business information in Document No. 25.

Consideration

25.5 Document No. 25 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the United Firefighters Union of Australia (WA Branch).

25.6 Document No. 25 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect ALP (Western Australian Branch) in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

25.7 For the reasons narrated at items 25.2 and 25.324.3 it is open to me to **found** that disclosure of Document No. 25:

- (a) does not unreasonably affect the United Firefighters Union of Australia (WA Branch) in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect the United Firefighters Union of Australia (WA Branch) in respect of its lawful business, commercial or financial affairs.

Personal Information

25.8 Document No. 25 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Kevin Jolly, Secretary of the United Firefighters Union of Australia (WA Branch), being his name;
- (b) Mary Ellen O'Neill, Office Manager of the United Firefighters Union of Australia (WA Branch), being her name;
- (c) Brad Edgman, Director, Funding and Disclosure Branch, AEC, being his name; and
- (d) Mary-Anne Waters, Assistant, Funding and Disclosure Branch.

Names and work details of officials

25.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

	<p>25.10 As regards to giving access to the names of Seema Srivastava Brad Edgman and Mary-Anne Waters, there is no special circumstance that militates against disclosure.</p> <p>25.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.</p> <p>25.12 As regards to giving access to the names of Kevin Jolly and Mary Ellen O'Neill there is no special circumstance that militates against disclosure.</p> <p>25.13 I therefore:</p> <p>(a) found that:</p> <p>(i) disclosure of Document No. 25:</p> <p>(A) would not unreasonably affect the ALP (Western Australia Branch) in respect of its lawful business, commercial or financial affairs; and</p> <p>(B) could not reasonably be expected to affect the ALP (Western Australia Branch) in respect of its lawful business, commercial or financial affairs; and</p> <p>(ii) there is no special circumstance that militates against disclosure of the names of Kevin Jolly, Mary Ellen O'Neill , Brad Edgman, Alan Page and Paul Lau; and</p> <p>(b) decided to give access to Document No. 25.</p>		
<p>26.</p>	<p>Compliance Investigation Report <i>Western Australian Prison Officers Union of Workers 2012-13 Annual Disclosure Return</i></p>	<p>?/04/2015</p>	
	<p>26.1 Document No. 26 relates to the compliance audit of the return by Western Australian Prison Officers Union of Workers for</p>		

the 2012-13 financial year (the '2012-13 Return').

Business information

Consultation

- 26.2 The 2012-13 Return is published by the AEC at <http://periodicdisclosures.aec.gov.au>Returns/51/RBQC3.pdf>.
- 26.3 As a consequence the matters relating to 2012-13 Return are well known and Western Australian Prison Officers Union of Workers is known to be associated with those matters.
- 26.4 Attachment A of Document No. 26 names the banker and account number of Western Australian Prison Officers Union of Workers.
- 26.5 It is patently obvious that giving access to the bank account details of Western Australian Prison Officers Union of Workers would, or could reasonably be expected to, unreasonably affect Western Australian Prison Officers Union of Workers in respect of its lawful business, commercial or financial affairs because such information could be used to facilitate an electronic attack on the bank account.
- 26.6 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that:
- (a) Western Australian Prison Officers Union of Workers would reasonably object to the disclosure of its bank account details; and
 - (b) Western Australian Prison Officers Union of Workers could not reasonably wish to make an exemption contention because of business information in the remainder of Document No. 26.

Consideration

- 26.7 Document No. 26 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Western Australian Prison Officers

Union of Workers.

- 26.8 Document No. 26 is conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:
- (a) would, or could reasonably be expected to, unreasonably affect Western Australian Prison Officers Union of Workers in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
 - (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).
- 26.9 Attachment A of Document No. 26 names the banker and account number of Western Australian Prison Officers Union of Workers which is information that would or could reasonably be expected to unreasonably affect
- 26.10 For the reasons narrated at items 26.2 to 26.5, it is open to me to **found** that disclosure of:
- (a) Attachment A of Document No. 22 could reasonably be expected to affect Western Australian Prison Officers Union of Workers in respect of its lawful business, commercial or financial affairs; and
 - (b) the remainder of Document No. 26:
 - (i) does not unreasonably affect Western Australian Prison Officers Union of Workers in respect of its lawful business, commercial or financial affairs; and
 - (ii) could not reasonably be expected to affect Western Australian Prison Officers Union of Workers in respect of its lawful business, commercial or financial affairs.

Personal Information

- 26.11 Document No. 26 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) John Welch, Secretary of Western Australian Prison Officers Union of Workers being his name;
- (b) Gital Patel, Office Manager of Western Australian Prison Officers Union of Workers being her name;
- (c) Alan Page, Assistant Director, Funding and Disclosure Branch AEC being his name; and
- (d) Paul Lau, Compliance Officer, Funding and Disclosure Branch AEC being his name.

26.12 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

26.13 As regards to giving access to the names of Mr Page and Mr Lau there is no special circumstance that militates against disclosure.

26.14 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

26.15 As regards to giving access to the names of Mr Welch and Ms Patel, there is no special circumstance that militates against disclosure.

26.16 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

26.17 The balance of competing public interest after considering the objects of the FOI Act and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 26 are outweighed by the possibility of harm to Ms Srivastava occasioned by identity theft using a facsimile of her signature.

26.18 It is both possible and practicable to prepare an edited copy of Document No. 26 from which the banker and account number of the Western Australian Prison Officers Union of Workers are redacted.

	<p>26.19 I therefore:</p> <p>(a) found that:</p> <p>(i) disclosure of Document No. 26:</p> <p>(A) would unreasonably affect the Western Australian Prison Officers Union of Workers in respect of its lawful business, commercial or financial affairs; and</p> <p>(B) could reasonably be expected to affect the Western Australian Prison Officers Union of Workers in respect of its lawful business, commercial or financial affairs;</p> <p>(ii) Document No. 26 is conditionally exempt under section 47G of the FOI Act;</p> <p>(iii) there is no special circumstance that militates against disclosure of the names of Mr Welch Ms Gits, Mr Page and Mr Lau;</p> <p>(iv) the balance of competing public interests favours treating Document No. 26 as exempt from access; and</p> <p>(v) it is both possible and practicable to prepare an edited copy of Document No. 26 from which the name of the banker and account number of the Western Australian Prison Officers Union of Workers are redacted; and</p> <p>(b) decided to refuse access to Document No. 26 and offer in lieu access to an edited copy of Document No. 26 which the name of the banker and account number of the Western Australian Prison Officers Union of Workers are redacted</p>		
<p>27.</p>	<p>Compliance Investigation Report <i>Natural Medicine Party 2013-14 Annual Disclosure Return</i></p>	<p>19/05/2015</p>	
	<p>27.1 Document No. 27 relates to the compliance audit of the return by the Natural Medicine Party for the 2013-14 financial year</p>		

(the '2013-14 Return').

Business information

Consultation

27.2 The 2013-14 Return is published by the AEC at: <http://periodicdisclosures.aec.gov.au>Returns/55/SIUG1.pdf>.

27.3 As a consequence the matters relating to 2013-14 Return are well known and the Natural Medicine Party is known to be associated with those matters.

27.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Natural Medicine Party could not reasonably wish to make an exemption contention because of business information in Document No. 27.

Consideration

27.5 Document No. 27 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Natural Medicine Party.

27.6 Document No. 27 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect Natural Medicine Party in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

27.7 For the reasons narrated at items 27.2 and 27.3, it is open to me to **found** that disclosure of Document No. 27.

- (a) does not unreasonably affect the Natural Medicine Party in respect of its lawful business, commercial or financial

affairs; and

- (b) could not reasonably be expected to affect Natural Medicine Party in respect of its lawful business, commercial or financial affairs.

Personal Information

27.8 Document No. 27 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) James Patterson, party agent of the Natural Medicine Party, being his name; and
- (b) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature; and

Names and work details of officials

27.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

27.10 As regards to giving access to:

- (a) the names Seema Srivastava, there is no special circumstance that militates against disclosure;
- (b) a facsimile the signature of Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

27.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

27.12 As regards to giving access to James Patterson's name, there is no special circumstance that militates against disclosure.

- 27.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.
- 27.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 27 are outweighed by the possibility of harm to Mr Courtney and Ms Srivastava occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.
- 27.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 27 from which the facsimiles of the signatures of Mr Courtney and Ms Srivastava are redacted.
- 27.16 I therefore:
- (a) **found** that:
- (i) disclosure of Document No. 27:
 - (A) would not unreasonably affect the Natural Medicine Party in respect of its lawful business, commercial or financial affairs; and
 - (B) could not reasonably be expected to affect Natural Medicine Party in respect of its lawful business, commercial or financial affairs;
 - (ii) there is no special circumstance that militates against disclosure of the names of James Patterson and Seema Srivastava;
 - (iii) as regards to giving access to a facsimile the signature of Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure;
 - (iv) Document No. 27 is conditionally exempt under section 47F of the FOI;
 - (v) the balance of competing public interests favours treating Document No. 27 as exempt from access; and

	<p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 27 from which the facsimile of the signature of Seema Srivastava is redacted; and</p> <p>(b) decided to give access to Document No. 27 and offer in lieu access to an edited copy of Document No. 27 from which the facsimile of the signature of Seema Srivastava is redacted.</p>		
<p>28.</p>	<p>Compliance Investigation Report Parakeelia Pty Ltd 2013-14 Annual Disclosure Return</p>	<p>17/06/2015</p>	<p>28.1 Document No. 28 relates to the compliance audit of the return by the Parakeelia Pty Ltd for the 2013-14 financial year (the '2013-14 Return').</p> <p><i>Business information</i></p> <p>Consultation</p> <p>28.2 The 2013-14 Return is published by the AEC at: Returns/55/SLCD1.pdf">http://periodicdisclosures.aec.gov.au>Returns/55/SLCD1.pdf.</p> <p>28.3 As a consequence the matters relating to 2013-14 Return are well known and the Parakeelia Pty Ltd is known to be associated with those matters.</p> <p>28.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Parakeelia Pty Ltd could not reasonably wish to make an exemption contention because of business information in Document No. 28.</p> <p>Consideration</p> <p>28.5 Document No. 28 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely Parakeelia Pty Ltd.</p> <p>28.6 Document No. 28 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:</p>

- (a) would, or could reasonably be expected to, unreasonably affect Parakeelia Pty Ltd in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

28.7 For the reasons narrated at items 28.2 and 28.3, it is open to me to **found** that disclosure of Document No. 28.

- (a) does not unreasonably affect Parakeelia Pty Ltd in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect Parakeelia Pty Ltd in respect of its lawful business, commercial or financial affairs.

Personal Information

28.8 Document No. 28 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Brett Richardson, financial controller of Parakeelia Pty Ltd, being his name; and
- (b) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature; and

Names and work details of officials

28.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

28.10 As regards to giving access to:

- (a) the names Seema Srivastava, there is no special circumstance that militates against disclosure;

(b) a facsimile the signature of Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

28.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

28.12 As regards to giving access to Brett Richardson's name, there is no special circumstance that militates against disclosure.

28.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

28.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 28 are outweighed by the possibility of harm to Mr Courtney and Ms Srivastava occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.

28.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 28 from which the facsimiles of the signatures of Mr Courtney and Ms Srivastava are redacted.

28.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 28:

(A) would not unreasonably affect Parakeelia Pty Ltd in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect Parakeelia Pty Ltd in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of Brett Richardson and Seema

	<p>Srivastava;</p> <p>(iii) as regards to giving access to a facsimile the signature of Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure;</p> <p>(iv) Document No. 28 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 28 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 28 from which the facsimile of the signature of Seema Srivastava is redacted; and</p> <p>(b) decided to refuse access to Document No. 28 and offer in lieu access to an edited copy of Document No. 28 from which the facsimile of the signature of Seema Srivastava is redacted</p>		
<p>29.</p>	<p>Compliance Review Report <i>Foundation 51 2012-13 Annual Disclosure Return</i></p>	<p>26/06/2015</p>	<p>29.1 Document No. 29 relates to the compliance audit of the return by the Foundation 51 for the 2012-13 financial year (the '2012-13 Return').</p> <p><i>Business information</i></p> <p>Consultation</p> <p>29.2 The 2012-13 Return is published by the AEC at: Returns/49/TILJ1.pdf">http://periodicdisclosures.aec.gov.au>Returns/49/TILJ1.pdf.</p> <p>29.3 As a consequence the matters relating to 2012-13 Return are well known and the Foundation 51 is known to be associated with those matters.</p> <p>29.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Foundation 51 could</p>

not reasonably wish to make an exemption contention because of business information in Document No. 29.

Consideration

- 29.5 Document No. 29 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Foundation 51 .
- 29.6 Document No. 29 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:
- (a) would, or could reasonably be expected to, unreasonably affect Foundation 51 in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
 - (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).
- 29.7 For the reasons narrated at items 29.2 and 29.3, it is open to me to **found** that disclosure of Document No. 29.
- (a) does not unreasonably affect the Foundation 51 in respect of its lawful business, commercial or financial affairs; and
 - (b) could not reasonably be expected to affect Foundation 51 in respect of its lawful business, commercial or financial affairs.

Personal Information

- 29.8 Document No. 29 contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Graeme Lewis, financial controller of the Foundation 51, being his name; and
 - (b) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature; and

Names and work details of officials

- 29.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.
- 29.10 As regards to giving access to:
- (a) the names Seema Srivastava, there is no special circumstance that militates against disclosure;
 - (b) a facsimile the signature of Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.
- 29.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.
- 29.12 As regards to giving access to Graeme Lewis' name, there is no special circumstance that militates against disclosure.
- 29.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.
- 29.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 29 are outweighed by the possibility of harm to Mr Courtney and Ms Srivastava occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.
- 29.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 29 from which the facsimiles of the signatures of Mr Courtney and Ms Srivastava are redacted.
- 29.16 I therefore:
- (a) **found** that:

	<p>(i) disclosure of Document No. 29:</p> <p>(A) would not unreasonably affect the Foundation 51 in respect of its lawful business, commercial or financial affairs; and</p> <p>(B) could not reasonably be expected to affect Foundation 51 in respect of its lawful business, commercial or financial affairs;</p> <p>(ii) there is no special circumstance that militates against disclosure of the names of Graeme Lewis and Seema Srivastava;</p> <p>(iii) as regards to giving access to a facsimile the signature of Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure;</p> <p>(iv) Document No. 29 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 29 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 29 from which the facsimile of the signature of Seema Srivastava is redacted; and</p> <p>(b) decided to refuse access to Document No. 29 and offer in lieu access to an edited copy of Document No. 29 from which the facsimile of the signature of Seema Srivastava is redacted.</p>		
30.	Compliance Review Report <i>Foundation 51 2013-14 Annual Disclosure Return</i>	26/06/2015	
30.1	Document No. 30 relates to the compliance audit of the return by the Foundation 51 for the 2013-14 financial year (the '2013-14 Return').		

Business information

Consultation

30.2 The 2013-14 Return is published by the AEC at: <http://periodicdisclosures.aec.gov.au>Returns/49/TILJ1.pdf>.

30.3 As a consequence the matters relating to 2013-14 Return are well known and the Foundation 51 is known to be associated with those matters.

30.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Foundation 51 could not reasonably wish to make an exemption contention because of business information in Document No. 30.

Consideration

30.5 Document No. 30 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Foundation 51.

30.6 Document No. 30 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect Foundation 51 in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

30.7 For the reasons narrated at items 30.2 and 30.3, it is open to me to **found** that disclosure of Document No. 30.

- (a) does not unreasonably affect the Foundation 51 in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect Foundation 51 in respect of its lawful business, commercial or financial

affairs.

Personal Information

30.8 Document No. 30 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Graeme Lewis, financial controller of the Foundation 51, being his name; and
- (b) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature; and

Names and work details of officials

30.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

30.10 As regards to giving access to:

- (a) the names Seema Srivastava, there is no special circumstance that militates against disclosure;
- (b) a facsimile the signature of Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

30.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

30.12 As regards to giving access to Graeme Lewis' name, there is no special circumstance that militates against disclosure.

30.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

- 30.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 30 are outweighed by the possibility of harm to Mr Courtney and Ms Srivastava occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.
- 30.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 30 from which the facsimiles of the signatures of Mr Courtney and Ms Srivastava are redacted.
- 30.16 I therefore:
- (a) **found** that:
- (i) disclosure of Document No. 30:
 - (A) would not unreasonably affect the Foundation 51 in respect of its lawful business, commercial or financial affairs; and
 - (B) could not reasonably be expected to affect Foundation 51 in respect of its lawful business, commercial or financial affairs;
 - (ii) there is no special circumstance that militates against disclosure of the names of Graeme Lewis and Seema Srivastava;
 - (iii) as regards to giving access to a facsimile the signature of Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure;
 - (iv) Document No. 30 is conditionally exempt under section 47F of the FOI;
 - (v) the balance of competing public interests favours treating Document No. 30 as exempt from access; and
 - (vi) it is both possible and practicable to prepare an edited copy of Document No. 30 from which the facsimile of the signature of Seema Srivastava is redacted; and

	(b) decided to refuse access to Document No. 30 and offer in lieu access to an edited copy of Document No. 30 from which the facsimile of the signature of Seema Srivastava is redacted.		
31.	Compliance Investigation Report <i>Foundation 51 2011-12 Annual Disclosure Return</i>	10/07/2015	
	<p>31.1 Document No. 31 relates to the compliance audit of the return by the Foundation 51 for the 2011-12 financial year (the '2011-12 Return').</p> <p>Business information</p> <p>Consultation</p> <p>31.2 The 2011-12 Return is published by the AEC at: Returns/49/TILJ1.pdf">http://periodicdisclosures.aec.gov.au>Returns/49/TILJ1.pdf.</p> <p>31.3 As a consequence the matters relating to 2011-12 Return are well known and the Foundation 51 is known to be associated with those matters.</p> <p>31.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Foundation 51 could not reasonably wish to make an exemption contention because of business information in Document No. 31.</p> <p>Consideration</p> <p>31.5 Document No. 31 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Foundation 51.</p> <p>31.6 Document No. 31 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:</p> <p>(a) would, or could reasonably be expected to, unreasonably affect Foundation 51 in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or</p>		

(b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

31.7 For the reasons narrated at items 31.2 and 31.3, it is open to me to **found** that disclosure of Document No. 31.

(a) does not unreasonably affect the Foundation 51 in respect of its lawful business, commercial or financial affairs; and

(b) could not reasonably be expected to affect Foundation 51 in respect of its lawful business, commercial or financial affairs.

Personal Information

31.8 Document No. 31 contains personal information to which section 47F of the FOI Act applies about the following individuals:

(a) Graeme Lewis, financial controller of the Foundation 51, being his name; and

(b) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature; and

Names and work details of officials

31.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

31.10 As regards to giving access to:

(a) the names Seema Srivastava, there is no special circumstance that militates against disclosure;

(b) a facsimile the signature of Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

- 31.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.
- 31.12 As regards to giving access to Graeme Lewis' name, there is no special circumstance that militates against disclosure.
- 31.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.
- 31.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 31 are outweighed by the possibility of harm to Mr Courtney and Ms Srivastava occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.
- 31.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 31 from which the facsimiles of the signatures of Mr Courtney and Ms Srivastava are redacted.
- 31.16 I therefore:
- (a) **found** that:
- (i) disclosure of Document No. 31:
- (A) would not unreasonably affect the Foundation 51 in respect of its lawful business, commercial or financial affairs; and
- (B) could not reasonably be expected to affect Foundation 51 in respect of its lawful business, commercial or financial affairs;
- (ii) there is no special circumstance that militates against disclosure of the names of Graeme Lewis and Seema Srivastava;
- (iii) as regards to giving access to a facsimile the signature of Seema Srivastava, there is a special circumstance,

	<p>namely the risk of identity theft that militates against disclosure;</p> <p>(iv) Document No. 31 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 31 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 31 from which the facsimile of the signature of Seema Srivastava is redacted; and</p> <p>(b) decided to refuse access to Document No. 31 and offer in lieu access to an edited copy of Document No. 31 from which the facsimile of the signature of Seema Srivastava is redacted.</p>		
<p>32.</p>	<p>Compliance Investigation Report <i>Bendigo 250 Club 2013-14 Annual Disclosure Return</i></p>	<p>14/08/2015</p>	<p>32.1 Document No. 32 relates to the compliance audit of the return by the Bendigo 250 Club for the 2013-14 financial year (the '2013-14 Return').</p> <p>Business information</p> <p>Consultation</p> <p>32.2 The 2013-14 Return is published by the AEC at: Returns/55/SDNV5.pdf">http://periodicdisclosures.aec.gov.au>Returns/55/SDNV5.pdf.</p> <p>32.3 As a consequence the matters relating to 2013-14 Return are well known and the Bendigo 250 Club is known to be associated with those matters.</p> <p>32.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Bendigo 250 Club could not reasonably wish to make an exemption contention because of business information in Document No. 32.</p> <p>Consideration</p>

- 32.5 Document No. 32 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Bendigo 250 Club .
- 32.6 Document No. 32 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:
- (a) would, or could reasonably be expected to, unreasonably affect Bendigo 250 Club in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
 - (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).
- 32.7 For the reasons narrated at items 32.2 and 32.3, it is open to me to **found** that disclosure of Document No. 46.
- (a) does not unreasonably affect the Bendigo 250 Club in respect of its lawful business, commercial or financial affairs; and
 - (b) could not reasonably be expected to affect Bendigo 250 Club in respect of its lawful business, commercial or financial affairs.
- Personal Information***
- 32.8 Document No. 32 contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Daryl Hubbard, financial controller of the Bendigo 250 Club, being his name;
 - (b) Tim Courtney, Acting First Assistant Commissioner, AEC, being his name and a facsimile of his signature;
 - (c) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature; and

(d) Lisa O'Shaughnessy, Assistant Director, Compliance, Funding and Disclosure Branch, AEC, being her name.

Names and work details of officials

32.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

32.10 As regards to giving access to:

(a) the names of Tim Courtney, Seema Srivastava and Lisa O'Shaughnessy, there is no special circumstance that militates against disclosure;

(b) a facsimile the signatures of Tim Courtney and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

32.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

32.12 As regards to giving access to Brett Constable's name, there is no special circumstance that militates against disclosure.

32.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

32.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 32 are outweighed by the possibility of harm to Mr Courtney and Ms Srivastava occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.

32.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 32 from which the facsimiles of the signatures of Mr Courtney and Ms Srivastava are redacted.

32.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 32:

(A) would not unreasonably affect the Bendigo 250 Club in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect Bendigo 250 Club in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of John Dowling, Tim Courtney, Seema Srivastava, and Lisa O'Shaughnessy;

(iii) as regards to giving access to a facsimile the signature of Tim Courtney and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure;

(iv) Document No. 32 is conditionally exempt under section 47F of the FOI;

(v) the balance of competing public interests favours treating Document No. 32 as exempt from access; and

(vi) it is both possible and practicable to prepare an edited copy of Document No. 32 from which the facsimile of the signatures of Tim Courtney and Seema Srivastava are redacted; and

(b) **decided to refuse access** to Document No. 32 and **offer in lieu access to an edited copy** of Document No. 32 from which the facsimile of the signatures of Tim Courtney and Seema Srivastava are redacted.

33.

Compliance Investigation Report *Coal Miners Industrial Union of Workers of WA Collie 2013-14 Annual Disclosure Return*

14/08/2015

33.1 Document No. 33 relates to the compliance audit of the return by the Coal Miners Industrial Union of Workers of WA Collie for the 2013-14 financial year (the '2013-14 Return').

Business information

Consultation

33.2 The 2013-14 Return is published by the AEC at: <http://periodicdisclosures.aec.gov.au>Returns/55/SKDA6.pdf>.

33.3 As a consequence the matters relating to 2013-14 Return are well known and the Coal Miners Industrial Union of Workers of WA Collie is known to be associated with those matters.

33.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Coal Miners Industrial Union of Workers of WA Collie could not reasonably wish to make an exemption contention because of business information in Document No. 33.

Consideration

33.5 Document No. 33 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Coal Miners Industrial Union of Workers of WA Collie.

33.6 Document No. 33 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect Coal Miners Industrial Union of Workers of WA Collie in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

- 33.7 For the reasons narrated at items 33.2 and 33.3, it is open to me to **found** that disclosure of Document No. 33:
- (a) does not unreasonably affect the Coal Miners Industrial Union of Workers of WA Collie in respect of its lawful business, commercial or financial affairs; and
 - (b) could not reasonably be expected to affect the Coal Miners Industrial Union of Workers of WA Collie in respect of its lawful business, commercial or financial affairs.

Personal Information

- 33.8 Document No. contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Gary Wood, financial controller of the Coal Miners Industrial Union of Workers of WA Collie being his name;
 - (b) Tim Courtney, Acting First Assistant Commissioner, AEC being his name and a facsimile of his signature;
 - (c) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch being here name and a facsimile of his signature; and
 - (d) Warren Kelly, Compliance Officer, Funding and Disclosure Branch.

Names and work details of officials

- 33.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.
- 33.10 As regards to giving access to:
- (a) the names of Mr Courtney, Ms Srivastava and Mr Kelly, there is no special circumstance that militates against disclosure.
 - (b) a facsimile of the signatures Mr Courtney and Ms Srivastava, there is a special circumstance, namely the risk of

identity theft that militates against disclosure.

33.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

33.12 As regards to giving access to the names of Mark Keogh and Ian McDonald, there is no special circumstance that militates against disclosure.

33.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

33.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 33 are outweighed by the risk of harm to Mr Courtney occasioned by identity theft using a facsimile of his signature.

33.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 33 from which the facsimile of Mr Courtney's signature is redacted.

33.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 33:

(A) would not unreasonably affect the Coal Miners Industrial Union of Workers of WA Collie in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect the Coal Miners Industrial Union of Workers of WA Collie in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of Tim Courtney, Seema

	<p>Srivastava, Warren Kelly and Gary Wood;</p> <p>(iii) as regards to giving access to facsimiles of Mr Courtney's and Ms Srivastava's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure;</p> <p>(iv) Document No. 33 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 33 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 33 from which the facsimiles of Mr Courtney's and Ms Srivastava's signatures are redacted; and</p> <p>(b) decided to refuse access to Document No. 33 and offer in lieu access to an edited copy of Document No. 33 from which the facsimiled of Mr Courtney's and Ms Srivastava's signature are redacted.</p>		
<p>34.</p>	<p>Compliance Investigation Report <i>Breweries & Bottleyards Union WA 2013-14 Annual Disclosure Return</i></p>	<p>21/08/2015</p>	<p>34.1 Document No. 34 relates to the compliance audit of the return by the Bendigo 250 Club for the 2013-14 financial year (the '2013-14 Return').</p> <p>Business information</p> <p>Consultation</p> <p>34.2 The 2013-14 Return is published by the AEC at: Returns/55/SDNV5.pdf">http://periodicdisclosures.aec.gov.au>Returns/55/SDNV5.pdf.</p> <p>34.3 As a consequence the matters relating to 2013-14 Return are well known and the Bendigo 250 Club is known to be associated with those matters.</p> <p>34.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Bendigo 250 Club</p>

could not reasonably wish to make an exemption contention because of business information in Document No. 34.

Consideration

34.5 Document No. 34 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Bendigo 250 Club.

34.6 Document No. 34 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect Bendigo 250 Club in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

34.7 For the reasons narrated at items 34.2 and 34.3, it is open to me to **found** that disclosure of Document No. 34.

- (a) does not unreasonably affect the Bendigo 250 Club in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect Bendigo 250 Club in respect of its lawful business, commercial or financial affairs.

Personal Information

34.8 Document No. 34 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Emma Allis, financial controller of the Bendigo 250 Club, being his name;
- (b) Andrew Gately, Acting First Assistant Commissioner, AEC, being his name and a facsimile of his signature; and

- (c) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature.

Names and work details of officials

- 34.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.
- 34.10 As regards to giving access to:
- (a) the names of Tim Courtney and Seema Srivastava, there is no special circumstance that militates against disclosure;
 - (b) a facsimile the signatures of Tim Courtney and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.
- 34.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.
- 34.12 As regards to giving access to Emma Allis's name, there is no special circumstance that militates against disclosure.
- 34.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.
- 34.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 34 are outweighed by the possibility of harm to Mr Courtney and Ms Srivastava occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.
- 34.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 34 from which the facsimiles of the signatures of Mr Courtney and Ms Srivastava are redacted.

34.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 34:

(A) would not unreasonably affect the Bendigo 250 Club in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect Bendigo 250 Club in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of Emma Allis, Tim Courtney and Seema Srivastava;

(iii) as regards to giving access to a facsimile the signature of Andrew Gately and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure; and

(iv) Document No. 34 is conditionally exempt under section 47F of the FOI;

(v) the balance of competing public interests favours treating Document No. 34 as exempt from access; and

(vi) it is both possible and practicable to prepare an edited copy of Document No. 34 from which the facsimile of the signatures of Andrew Gately and Seema Srivastava are redacted; and

(b) **decided to refuse access** to Document No. 34 and **offer in lieu access to an edited copy** of Document No. 34 from which the facsimile of the signatures of Andrew Gately and Seema Srivastava are redacted.

35. Compliance Investigation Report *Rail Tram & Bus Industry Union – WA 2013-14 Annual Disclosure Return*

21/08/2015

35.1 Document No. 35 relates to the compliance audit of the return by the Report Rail Tram & Bus Industry Union – WA for the 2013-14 financial year (the '2013-14 Return').

Business information

Consultation

35.2 The 2013-14 Return is published by the AEC at: <http://periodicdisclosures.aec.gov.au>Returns/55/SIEU6.pdf>.

35.3 As a consequence the matters relating to 2013-14 Return are well known and the Report Rail Tram & Bus Industry Union – WA is known to be associated with those matters.

35.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Report Rail Tram & Bus Industry Union – WA could not reasonably wish to make an exemption contention because of business information in Document No. 35.

Consideration

35.5 Document No. 35 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Report Rail Tram & Bus Industry Union – WA.

35.6 Document No. 35 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect Report Rail Tram & Bus Industry Union – WA in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

- 35.7 For the reasons narrated at items 35.2 and 35.3, it is open to me to **found** that disclosure of Document No. 35.
- (a) does not unreasonably affect the Report Rail Tram & Bus Industry Union – WA in respect of its lawful business, commercial or financial affairs; and
 - (b) could not reasonably be expected to affect Report Rail Tram & Bus Industry Union – WA in respect of its lawful business, commercial or financial affairs.
- Personal Information***
- 35.8 Document No. 35 contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Philip Woodcock, financial controller of the Report Rail Tram & Bus Industry Union – WA, being his name;
 - (b) Andrew Gately, Acting First Assistant Commissioner, AEC, being his name and a facsimile of his signature; and
 - (c) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature.
- Names and work details of officials**
- 35.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official’s name, unless special circumstances exist.
- 35.10 As regards to giving access to:
- (a) the names of Tim Courtney and Seema Srivastava, there is no special circumstance that militates against disclosure;
 - (b) a facsimile the signatures of Tim Courtney and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.
- 35.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political

party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

35.12 As regards to giving access to Philip Woodcock's name, there is no special circumstance that militates against disclosure.

35.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

35.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 35 are outweighed by the possibility of harm to Mr Courtney and Ms Srivastava occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.

35.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 35 from which the facsimiles of the signatures of Mr Courtney and Ms Srivastava are redacted.

35.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 35:

(A) would not unreasonably affect the Report Rail Tram & Bus Industry Union – WA in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect Report Rail Tram & Bus Industry Union – WA in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of Philip Woodcock, Tim Courtney and Seema Srivastava;

(iii) as regards to giving access to a facsimile the signature of Andrew Gately and Seema Srivastava, there is a

	<p>special circumstance, namely the risk of identity theft that militates against disclosure; and</p> <p>(iv) Document No. 35 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 35 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 35 from which the facsimile of the signatures of Andrew Gately and Seema Srivastava are redacted; and</p> <p>(b) decided to refuse access to Document No. 35 and offer in lieu access to an edited copy of Document No. 35 from which the facsimile of the signatures of Andrew and Seema Srivastava are redacted.</p>		
<p>36.</p>	<p>Compliance Review Report <i>Geelong 500 Club 2013-14 Annual Disclosure Return</i></p>	<p>25/08/2015</p>	<p>36.1 Document No. 36 relates to the compliance audit of the return by the Geelong 500 Club for the 2013-14 financial year (the '2013-14 Return').</p> <p>Business information</p> <p>Consultation</p> <p>36.2 The 2013-14 Return is published by the AEC at: Returns/49/TILJ1.pdf">http://periodicdisclosures.aec.gov.au>Returns/49/TILJ1.pdf.</p> <p>36.3 As a consequence the matters relating to 2013-14 Return are well known and the Geelong 500 Club is known to be associated with those matters.</p> <p>36.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Geelong 500 Club could not reasonably wish to make an exemption contention because of business information in Document No. 36.</p> <p>Consideration</p>

- 36.5 Document No. 36 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Geelong 500 Club.
- 36.6 Document No. 36 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:
- (a) would, or could reasonably be expected to, unreasonably affect Geelong 500 Club in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
 - (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).
- 36.7 For the reasons narrated at items 36.2 and 36.3, it is open to me to **found** that disclosure of Document No. 36:
- (a) does not unreasonably affect the Geelong 500 Club in respect of its lawful business, commercial or financial affairs; and
 - (b) could not reasonably be expected to affect Geelong 500 Club in respect of its lawful business, commercial or financial affairs.
- Personal Information***
- 36.8 Document No. 36 contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Mike Deam, financial controller of the Geelong 500 Club, being his name; and
 - (b) Andrew Gately, Acting First Assistant Commissioner, AEC, being his name and a facsimile of his signature; and
- Names and work details of officials**
- 36.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal

information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

36.10 As regards to giving access to:

- (a) the names Andrew Gately, there is no special circumstance that militates against disclosure;
- (b) a facsimile the signature of Andrew Gately, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

36.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

36.12 As regards to giving access to Mike Deam's name, there is no special circumstance that militates against disclosure.

36.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

36.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 36 are outweighed by the possibility of harm to Mr Gately occasioned by the risk of identity theft using a facsimile of his signature as an aid.

36.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 36 from which the facsimile of the signatures of Mr Gately is redacted.

36.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 36:

(A) would not unreasonably affect the Geelong 500 Club in respect of its lawful business, commercial or

	<p>financial affairs; and</p> <p>(B) could not reasonably be expected to affect Geelong 500 Club in respect of its lawful business, commercial or financial affairs;</p> <p>(ii) there is no special circumstance that militates against disclosure of the names of Mike Deam and Andrew Gately;</p> <p>(iii) as regards to giving access to a facsimile the signature of Andrew Gately, there is a special circumstance, namely the risk of identity theft that militates against disclosure; and</p> <p>(iv) Document No. 36 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 36 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 36 from which the facsimile of the signature of Andrew Gately is redacted; and</p> <p>(b) decided to refuse access to Document No. 36 and offer in lieu access to an edited copy of Document No. 36 from which the facsimile of the signature of Andrew Gately is redacted.</p>		
<p>37.</p>	<p>Compliance Investigation Report <i>21st Century Australia 2013-14 Annual Disclosure Return</i></p>	<p>1310/2015</p>	<p>37.1 Document No. 37 relates to the compliance audit of the return by the 21st Century Party for the 2013-14 financial year (the '2013-14 Return').</p> <p>Business information</p> <p>Consultation</p> <p>37.2 The 2013-14 Return is published by the AEC at</p>

<http://periodicdisclosures.aec.gov.au/Party.aspx?SubmissionId=55&ClientId=32999>.

37.3 As a consequence the matters relating to 2013-14 Return are well known and the 21st Century Australia Party is known to be associated with those matters.

37.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the 21st Century Australia Party could not reasonably wish to make an exemption contention because of business information in Document No. 37.

Consideration

37.5 Document No. 37 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the 21st Century Party.

37.6 Document No. 37 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect 21st Century Party in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

37.7 For the reasons narrated at items 37.2 and 37.3, it is open to me to **found** that disclosure of Document No. 37:

- (a) does not unreasonably affect the 21st Century Party in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect the 21st Century Party in respect of its lawful business, commercial or financial affairs.

Personal Information

37.8 Document No. 37 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Fabienne Kiely, party agent of the 21st Century Party being her name;
- (b) Tim Courtney, Acting First Assistant Commissioner, AEC being his name and a facsimile of his signature.

Names and work details of officials

37.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

37.10 As regards to giving access to:

- (a) Mr Courtney's name there is no special circumstance that militates against disclosure.
- (b) a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

37.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

37.12 As regards to giving access to Fabienne Kiely's name, there is no special circumstance that militates against disclosure.

37.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

37.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 37 are outweighed by the risk of harm to Mr Courtney occasioned by identity theft using a facsimile of his signature.

37.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 37 from which the facsimile of Mr

Courtney's signature is redacted.

37.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 37:

(A) would not unreasonably affect the 21st Century Party in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect the 21st Century Party in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of Tim Courtney and Fabienne Kiely;

(iii) as regards to giving access to a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure; and

(iv) Document No. 37 is conditionally exempt under section 47F of the FOI;

(v) the balance of competing public interests favours treating Document No. 37 as exempt from access; and

(vi) it is both possible and practicable to prepare an edited copy of Document No. 37 from which the facsimile of Mr Courtney's signature is redacted; and

(b) **decided to refuse access** to Document No. 37 and **offer in lieu access to an edited copy** of Document No. 37 from which the facsimile of Mr Courtney's signature is redacted.

38.

Compliance Investigation Report *Media Entertainment & Arts*

15/10/2015

<i>Alliance 2013-14 Annual Disclosure Return</i>		
38.1	Document No. 38 relates to the compliance audit of the return by the Media Entertainment & Arts Alliance for the 2013-14 financial year (the '2013-14 Return').	
	<p><i>Business information</i></p>	
	<p>Consultation</p>	
38.2	The 2013-14 Return is published by the AEC at: Returns/55/SLOL5.pdf">http://periodicdisclosures.aec.gov.au>Returns/55/SLOL5.pdf .	
38.3	As a consequence the matters relating to 2013-14 Return are well known and the Media Entertainment & Arts Alliance is known to be associated with those matters.	
38.4	In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Media Entertainment & Arts Alliance could not reasonably wish to make an exemption contention because of business information in Document No. 38.	
	<p>Consideration</p>	
38.5	Document No. 38 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Media Entertainment & Arts Alliance.	
38.6	<p>Document No. 38 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:</p> <ul style="list-style-type: none"> (a) would, or could reasonably be expected to, unreasonably affect Media Entertainment & Arts Alliance in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the 	

AEC (paragraph 47G(1)(b) of the FOI Act).

38.7 For the reasons narrated at items 38.2 and 38.3, it is open to me to **found** that disclosure of Document No. 38.

- (a) does not unreasonably affect the Media Entertainment & Arts Alliance in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect Media Entertainment & Arts Alliance in respect of its lawful business, commercial or financial affairs.

Personal Information

38.8 Document No. 38 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Susan Clarkson, financial controller of the Media Entertainment & Arts Alliance, being his name;
- (b) Tim Courtney, Acting First Assistant Commissioner, AEC, being his name and a facsimile of his signature;
- (c) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature; and
- (d) Warren Kelly, Compliance Officer, Funding and Disclosure Branch, AEC, being his name.

Names and work details of officials

38.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

38.10 As regards to giving access to:

- (a) the names of Tim Courtney, Seema Srivastava and Warren Kelly, there is no special circumstance that militates

against disclosure;

- (b) a facsimile the signatures of Tim Courtney and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

38.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

38.12 As regards to giving access to Susan Clarkson's name, there is no special circumstance that militates against disclosure.

38.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

38.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 38 are outweighed by the possibility of harm to Mr Courtney and Ms Srivastava occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.

38.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 46 from which the facsimiles of the signatures of Mr Courtney and Ms Srivastava are redacted.

38.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 38:

(A) would not unreasonably affect the Media Entertainment & Arts Alliance in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect Media Entertainment & Arts Alliance in respect of its lawful

	<p>business, commercial or financial affairs;</p> <p>(ii) there is no special circumstance that militates against disclosure of the names of Susan Clarkson, Tim Courtney, Seema Srivastava, and Warren Kelly;</p> <p>(iii) as regards to giving access to a facsimile the signature of Tim Courtney and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure; and</p> <p>(iv) Document No. 38 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 38 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 38 from which the facsimile of the signatures of Tim Courtney and Seema Srivastava are redacted; and</p> <p>(b) decided to refuse access to Document No. 38 and offer in lieu access to an edited copy of Document No. 38 from which the facsimile of the signatures of Tim Courtney and Seema Srivastava are redacted.</p>		
<p>39.</p>	<p>Compliance Investigation Report <u><i>National Party of Australia (SA) Inc 2013-14 Annual Return</i></u></p>	<p>19/10/2015</p>	<p>39.1 Document No. 39 is part of a document published for reference at http://www.aph.gov.au/~media/Committees/fapa_ctte/estimates/sup_1516/finance/F088.pdf.</p> <p>39.2 Document No. 39 is out of scope of that which may be requested as a document under Part II of the <i>Freedom of Information Act 1982</i> by reason of the carve-out in paragraph (2) of the definition of 'document' provided by subsection 4(1) of the FOI Act.</p> <p>39.3 I decided that access to Document No. 39 be refused.</p>

40.	Compliance Investigation Report <i>Altum Pty Ltd as Trustee for the Altum Head Quarters Trust 2013-14 Annual Disclosure Return</i>	29/10/2015	
	<p data-bbox="277 344 2132 416">40.1 Document No. 40 relates to the compliance audit of the return by the Altum Pty Ltd as Trustee for the Altum Head Quarters Trust for the 2013-14 financial year (the '2013-14 Return').</p> <p data-bbox="394 453 721 483"><i>Business information</i></p> <p data-bbox="468 520 663 550">Consultation</p> <p data-bbox="277 595 1738 667">40.2 The 2013-14 Return is published by the AEC at http://periodicdisclosures.aec.gov.au/AssociatedEntity.aspx?SubmissionId=55&ClientId=28666.</p> <p data-bbox="277 707 2085 778">40.3 As a consequence the matters relating to 2013-14 Return are well known and the Altum Pty Ltd as Trustee for the Altum Head Quarters Trust is known to be associated with those matters.</p> <p data-bbox="277 818 2029 930">40.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Altum Pty Ltd as Trustee for the Altum Head Quarters Trust could not reasonably wish to make an exemption contention because of business information in Document No. 40.</p> <p data-bbox="468 967 685 997">Consideration</p> <p data-bbox="277 1042 2107 1153">40.5 Document No. 40 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely Altum Pty Ltd as Trustee for the Altum Head Quarters Trust.</p> <p data-bbox="277 1193 2101 1342">40.6 Document No. 40 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:</p> <p data-bbox="394 1265 2056 1342">(a) would, or could reasonably be expected to, unreasonably affect v in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or</p>		

(b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

40.7 For the reasons narrated at items 40.2 and 40.3, it is open to me to **found** that disclosure of Document No. 40:

- (a) does not unreasonably affect the Altum Pty Ltd as Trustee for the Altum Head Quarters Trust in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect the Altum Pty Ltd as Trustee for the Altum Head Quarters Trust in respect of its lawful business, commercial or financial affairs.

Personal Information

40.8 Document No. 40 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Karen Schroter, Company Secretary of the Altum Pty Ltd being her name;
- (b) Tim Courtney, Acting First Assistant Commissioner, AEC being his name and a facsimile of his signature.

Names and work details of officials

40.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

40.10 As regards to giving access to:

- (a) Mr Courtney's name there is no special circumstance that militates against disclosure.
- (b) a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

- 40.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.
- 40.12 As regards to giving access to Karen Schroter's name, there is no special circumstance that militates against disclosure.
- 40.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.
- 40.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 40 are outweighed by the risk of harm to Mr Courtney occasioned by identity theft using a facsimile of his signature.
- 40.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 40 from which the facsimile of Mr Courtney's signature is redacted.
- 40.16 I therefore:
- (a) **found** that:
- (i) disclosure of Document No. 40:
- (A) would not unreasonably affect the Altum Pty Ltd as Trustee for the Altum Head Quarters Trust in respect of its lawful business, commercial or financial affairs; and
- (B) could not reasonably be expected to affect the Altum Pty Ltd as Trustee for the Altum Head Quarters Trust in respect of its lawful business, commercial or financial affairs;
- (ii) there is no special circumstance that militates against disclosure of the names of Tim Courtney and Karen Schroter;
- (iii) as regards to giving access to a facsimile of Mr Courtney's signature, there is a special circumstance, namely the

	<p>risk of identity theft that militates against disclosure; and</p> <p>(iv) Document No. 40 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 40 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 40 from which the facsimile of Mr Courtney's signature is redacted; and</p> <p>(b) decided to refuse access to Document No. 40 and offer in lieu access to an edited copy of Document No. 40 from which the facsimile of Mr Courtney's signature is redacted.</p>		
<p>41.</p>	<p>Compliance Investigation Report <i>Australian Greens 2013-14 Annual Disclosure Return</i></p>	<p>12/11/2015</p>	<p>41.1 Document No. 41 relates to the compliance audit of the return by the Australian Greens for the 2013-14 financial year (the '2013-14 Return').</p> <p>Business information</p> <p>Consultation</p> <p>41.2 The 2013-14 Return is published by the AEC at Returns/55/SJJG0.pdf">http://periodicdisclosures.aec.gov.au>Returns/55/SJJG0.pdf.</p> <p>41.3 As a consequence the matters relating to 2013-14 Return are well known and the Australian Greens is known to be associated with those matters.</p> <p>41.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Australian Greens could not reasonably wish to make an exemption contention because of business information in Document No. 41.</p> <p>Consideration</p>

- 41.5 Document No. 41 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Australian Greens .
- 41.6 Document No. 41 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:
- (a) would, or could reasonably be expected to, unreasonably affect Australian Greens in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
 - (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).
- 41.7 For the reasons narrated at items 41.2 and 41.3, it is open to me to **found** that disclosure of Document No. 41
- (a) does not unreasonably affect the Australian Greens in respect of its lawful business, commercial or financial affairs; and
 - (b) could not reasonably be expected to affect the Australian Greens in respect of its lawful business, commercial or financial affairs.
- Personal Information***
- 41.8 Document No. 41 contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Brett Constable, party agent of the Australian Greens, being his name;
 - (b) Tim Courtney, Acting First Assistant Commissioner, AEC, being his name and a facsimile of his signature;
 - (c) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature;

- (d) Lisa O'Shaughnessy, Assistant Director, Compliance, Funding and Disclosure Branch, AEC, being her name; and
- (e) Ralph Fayed, Compliance Officer, Funding and Disclosure Branch, AEC, being his name.

Names and work details of officials

- 41.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.
- 41.10 As regards to giving access to:
- (a) the names of Tim Courtney, Seema Srivastava, Lisa O'Shaughnessy and Ralph Fayed, there is no special circumstance that militates against disclosure;
 - (b) a facsimile the signatures of Tim Courtney and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.
- 41.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.
- 41.12 As regards to giving access to Brett Constable's name, there is no special circumstance that militates against disclosure.
- 41.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.
- 41.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 41 are outweighed by the possibility of harm to Mr Courtney and Ms Srivastava occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.
- 41.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 41 from which the facsimiles of the

signatures of Mr Courtney and Ms Srivastava are redacted.

41.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 41:

(A) would not unreasonably affect the Australian Greens in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect Australian Greens in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of John Dowling, Tim Courtney, Seema Srivastava, Lisa O'Shaughnessy and Ralph Fayed;

(iii) as regards to giving access to a facsimile the signature of Tim Courtney and Seema Srivastava and Joanne Reid, there is a special circumstance, namely the risk of identity theft that militates against disclosure; and

(iv) Document No. 41 is conditionally exempt under section 47F of the FOI;

(v) the balance of competing public interests favours treating Document No. 41 as exempt from access; and

(vi) it is both possible and practicable to prepare an edited copy of Document No. 41 from which the facsimile of the signatures of Tim Courtney and Seema Srivastava are redacted; and

(b) **decided to refuse access** to Document No. 41 and **offer in lieu access to an edited copy** of Document No. 41 from which the facsimile of the signatures of Tim Courtney and Seema Srivastava are redacted.

42.

Compliance Investigation Report *CEPU Plumbing Division Victoria*

27/11/2015

2013-14 Annual Disclosure Return

42.1 Document No. 42 relates to the compliance audit of the return by the CEPU Plumbing Division Victoria for the 2013-14 financial year (the '2013-14 Return').

Business information

Consultation

42.2 The 2013-14 Return is published by the AEC at: <http://periodicdisclosures.aec.gov.au>Returns/55/SEHR5.pdf>.

42.3 As a consequence the matters relating to 2013-14 Return are well known and the CEPU Plumbing Division Victoria is known to be associated with those matters.

42.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the CEPU Plumbing Division Victoria could not reasonably wish to make an exemption contention because of business information in Document No. 42.

Consideration

42.5 Document No. 42 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the CEPU Plumbing Division Victoria.

42.6 Document No. 42 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect CEPU Plumbing Division Victoria in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

- 42.7 For the reasons narrated at items 42.2 and 42.3, it is open to me to **found** that disclosure of Document No. 42:
- (a) does not unreasonably affect the CEPU Plumbing Division Victoria in respect of its lawful business, commercial or financial affairs; and
 - (b) could not reasonably be expected to affect the CEPU Plumbing Division Victoria in respect of its lawful business, commercial or financial affairs.
- Personal Information***
- 42.8 Document No. contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Junha Jang, financial controller of the CEPU Plumbing Division Victoria being his name;
 - (b) Tim Courtney, Acting First Assistant Commissioner, AEC being his name and a facsimile of his signature; and
 - (c) Warren Kelly, Compliance Officer, Funding and Disclosure Branch.
- Names and work details of officials**
- 42.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.
- 42.10 As regards to giving access to:
- (a) the names of Mr Courtney and Mr Kelly, there is no special circumstance that militates against disclosure.
 - (b) a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure.
- 42.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the

employment.

42.12 As regards to giving access to the names of Mark Keogh and Ian McDonald, there is no special circumstance that militates against disclosure.

42.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

42.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 42 are outweighed by the risk of harm to Mr Courtney occasioned by identity theft using a facsimile of his signature.

42.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 42 from which the facsimile of Mr Courtney's signature is redacted.

42.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 42:

(A) would not unreasonably affect the CEPU Plumbing Division Victoria in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect the CEPU Plumbing Division Victoria in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of Tim Courtney, Warren Kelly and Junha Jang ; and

(iii) as regards to giving access to a facsimile of Mr Courtney's signature, there is a special circumstance, namely the

	<p>risk of identity theft that militates against disclosure;</p> <p>(iv) Document No. 42 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 42 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 42 from which the facsimile of Mr Courtney's signature is redacted; and</p> <p>(b) decided to refuse access to Document No. 42 and offer in lieu access to an edited copy of Document No. 42 from which the facsimile of Mr Courtney's signature is redacted.</p>		
<p>43.</p>	<p>Compliance Investigation Report <i>CFMEU Construction and General Division - (WA Branch) 2012-13 Annual Disclosure Return</i></p>	<p>27/11/2015</p>	<p>43.1 Document No. 43 relates to the compliance audit of the return by the CFMEU Construction and General Division - (WA Branch) for the 2012-13 financial year (the '2012-13 Return').</p> <p><i>Business information</i></p> <p>Consultation</p> <p>43.2 The 2012-13 Return is published by the AEC at: Returns/51/QWUY3.pdf">http://periodicdisclosures.aec.gov.au>Returns/51/QWUY3.pdf.</p> <p>43.3 As a consequence the matters relating to 2012-13 Return are well known and the CFMEU Construction and General Division - (WA Branch) is known to be associated with those matters.</p> <p>43.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the CFMEU Construction and General Division - (WA Branch) could not reasonably wish to make an exemption contention because of business information in Document No. 43.</p>

Consideration

43.5 Document No. 43 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the CFMEU Construction and General Division - (WA Branch).

43.6 Document No. 43 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect CFMEU Construction and General Division - (WA Branch) in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

43.7 For the reasons narrated at items 43.2 and 43.3, it is open to me to **found** that disclosure of Document No. 43.

- (a) does not unreasonably affect the CFMEU Construction and General Division - (WA Branch) in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect CFMEU Construction and General Division - (WA Branch) in respect of its lawful business, commercial or financial affairs.

Personal Information

43.8 Document No. 43 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Michael Buchan, State Secretary of the CFMEU Construction and General Division - (WA Branch), being his name;
- (b) Tim Courtney, Acting First Assistant Commissioner, AEC, being his name and a facsimile of his signature;

(c) Seema Srivastava, Assistant Commissioner, Funding and Disclosure; and

(d) Lisa O'Shaughnessy, Assistant Director, Compliance, Funding and Disclosure Branch, AEC, being her name.

Names and work details of officials

43.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

43.10 As regards to giving access to:

(a) the names of Tim Courtney and Lisa O'Shaughnessy, there is no special circumstance that militates against disclosure;

(b) a facsimiles the signatures of Tim Courtney and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

43.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

43.12 As regards to giving access to Michael Buchan's name, there is no special circumstance that militates against disclosure.

43.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

43.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 43 are outweighed by the possibility of harm to Mr Courtney occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.

43.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 43 from which the facsimiles of the

signature of Mr Courtney are redacted.

43.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 43:

(A) would not unreasonably affect the CFMEU Construction and General Division - (WA Branch) in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect CFMEU Construction and General Division - (WA Branch) in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of Michael Buchan, Tim Courtney, Seema Srivastava and Lisa O'Shaughnessy; and

(iii) as regards to giving access to a facsimiles the signatures of Tim Courtney and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure;

(iv) Document No. 43 is conditionally exempt under section 47F of the FOI;

(v) the balance of competing public interests favours treating Document No. 43 as exempt from access; and

(vi) it is both possible and practicable to prepare an edited copy of Document No. 43 from which the facsimiles of the signatures of Tim Courtney and Seema Srivastava are redacted; and

(b) **decided to refuse access** to Document No. 43 and **offer in lieu access to an edited copy** of Document No. 43 from which the facsimiles of the signatures of Tim Courtney and Seema Srivastava are redacted.

44.

Compliance Investigation Report *Australian Greens (South*

17/12/2015

Australia) 2012-13 Annual Disclosure Return

44.1 Document No. 44 relates to the compliance audit of the return by the Australian Greens (South Australia) for the 2013-14 financial year (the '2013-14 Return').

Business information

Consultation

44.2 The 2013-14 Return is published by the AEC at: <http://periodicdisclosures.aec.gov.au>Returns/55/SGCT5.pdf>.

44.3 As a consequence the matters relating to 2013-14 Return are well known and the Australian Greens (South Australia) is known to be associated with those matters.

44.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Australian Greens (South Australia) could not reasonably wish to make an exemption contention because of business information in Document No. 44.

Consideration

44.5 Document No. 44 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Australian Greens (South Australia).

44.6 Document No. 44 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect Australian Greens (South Australia) in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the

AEC (paragraph 47G(1)(b) of the FOI Act).

44.7 For the reasons narrated at items 44.2 and 44.3, it is open to me to **found** that disclosure of Document No. 44:

- (a) does not unreasonably affect the Australian Greens (South Australia) in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect the Australian Greens (South Australia) in respect of its lawful business, commercial or financial affairs.

Personal Information

44.8 Document No. contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Ian McDonald, party agent of the Australian Greens (South Australia) being his name;
- (b) Mark Keogh, State Treasurer of the Australian Greens (South Australia) being his name;
- (c) Tim Courtney, Acting First Assistant Commissioner, AEC being his name and a facsimile of his signature.

Names and work details of officials

44.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

44.10 As regards to giving access to:

- (a) Mr Courtney's name there is no special circumstance that militates against disclosure.
- (b) a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

- 44.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.
- 44.12 As regards to giving access to the names of Mark Keogh and Ian McDonald, there is no special circumstance that militates against disclosure.
- 44.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.
- 44.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 44 are outweighed by the risk of harm to Mr Courtney occasioned by identity theft using a facsimile of his signature.
- 44.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 44 from which the facsimile of Mr Courtney's signature is redacted.
- 44.16 I therefore:
- (a) **found** that:
- (i) disclosure of Document No. 44:
- (A) would not unreasonably affect the Australian Greens (South Australia) in respect of its lawful business, commercial or financial affairs; and
- (B) could not reasonably be expected to affect the Australian Greens (South Australia) in respect of its lawful business, commercial or financial affairs;
- (ii) there is no special circumstance that militates against disclosure of the names of Tim Courtney, Mark Keogh and Ian McDonald ; and

	<ul style="list-style-type: none"> (iii) as regards to giving access to a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure; (iv) Document No. 44 is conditionally exempt under section 47F of the FOI; (v) the balance of competing public interests favours treating Document No. 44 as exempt from access; and (vi) it is both possible and practicable to prepare an edited copy of Document No. 44 from which the facsimile of Mr Courtney's signature is redacted; and <p>(b) decided to refuse access to Document No. 44 and offer in lieu access to an edited copy of Document No. 44 from which the facsimile of Mr Courtney's signature is redacted.</p>		
<p>45.</p>	<p>Compliance Investigation Report <i>Liberal Party of Australia (NSW Division) 2013-14 Annual Disclosure Return</i></p>	<p>17/12/2015</p>	<p>45.1 Document No. 45 relates to the compliance audit of the return by the Liberal Party of Australia (NSW Division) for the 2013-14 financial year (the '2013-14 Return').</p> <p><i>Business information</i></p> <p>Consultation</p> <p>45.2 The 2013-14 Return is published by the AEC at: Returns/55/SGCT5.pdf">http://periodicdisclosures.aec.gov.au>Returns/55/SGCT5.pdf.</p> <p>45.3 As a consequence the matters relating to 2013-14 Return are well known and the Liberal Party of Australia (NSW Division) is known to be associated with those matters.</p> <p>45.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Liberal Party of Australia (NSW Division) could not reasonably wish to make an exemption contention because of business information in</p>

Document No. 45.

Consideration

- 45.5 Document No. 45 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the Liberal Party of Australia (NSW Division).
- 45.6 Document No. 45 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:
- (a) would, or could reasonably be expected to, unreasonably affect Liberal Party of Australia (NSW Division) in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
 - (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).
- 45.7 For the reasons narrated at items 45.2 and 45.3, it is open to me to **found** that disclosure of Document No. 45:
- (a) does not unreasonably affect the Liberal Party of Australia (NSW Division) in respect of its lawful business, commercial or financial affairs; and
 - (b) could not reasonably be expected to affect the Liberal Party of Australia (NSW Division) in respect of its lawful business, commercial or financial affairs.

Personal Information

- 45.8 Document No. contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Simon McInnes, party agent of the Liberal Party of Australia (NSW Division) being his name;

(b) Tim Courtney, Acting First Assistant Commissioner, AEC being his name and a facsimile of his signature.

Names and work details of officials

45.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

45.10 As regards to giving access to:

(a) Mr Courtney's name there is no special circumstance that militates against disclosure.

(b) a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

45.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

45.12 As regards to giving access to the names of Simon McInnes there is no special circumstance that militates against disclosure.

45.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

45.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 45 are outweighed by the risk of harm to Mr Courtney occasioned by identity theft using a facsimile of his signature.

45.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 45 from which the facsimile of Mr Courtney's signature is redacted.

45.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 45:

(A) would not unreasonably affect the Liberal Party of Australia (NSW Division) in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect the Australian Greens (South Australia) in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of Tim Courtney and Simon McInnes;

(iii) as regards to giving access to a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure; and

(iv) Document No. 45 is conditionally exempt under section 47F of the FOI;

(v) the balance of competing public interests favours treating Document No. 45 as exempt from access; and

(vi) it is both possible and practicable to prepare an edited copy of Document No. 45 from which the facsimile of Mr Courtney's signature is redacted; and

(b) **decided to refuse access** to Document No. 45 and **offer in lieu access to an edited copy** of Document No. 45 from which the facsimile of Mr Courtney's signature is redacted.

46. Compliance Review Report *ALP (Tasmanian Branch) 2013-14*
Annual Disclosure Return

17/12/2015

46.1 Document No. 46 relates to the compliance audit of the return by the ALP (Tasmanian Branch) for the 2013-14 financial year (the '2013-14 Return').

Business information

Consultation

46.2 The 2013-14 Return is published by the AEC at <http://periodicdisclosures.aec.gov.au>Returns/55/SKEB7.pdf>.

46.3 As a consequence the matters relating to 2013-14 Return are well known and the ALP (Tasmanian Branch) is known to be associated with those matters.

46.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the ALP (Tasmanian Branch) could not reasonably wish to make an exemption contention because of business information in Document No. 46

Consideration

46.5 Document No. 46 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the ALP (Tasmanian Branch).

46.6 Document No. 46 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect ALP (Tasmanian Branch) in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

46.7 For the reasons narrated at items 46.2 and 46.3, it is open to me to **found** that disclosure of Document No. 46.

- (a) does not unreasonably affect the ALP (Tasmanian Branch) in respect of its lawful business, commercial or financial

affairs; and

- (b) could not reasonably be expected to affect the ALP (Tasmanian Branch) in respect of its lawful business, commercial or financial affairs.

Personal Information

46.8 Document No. 46 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) John Dowling, party agent of the ALP (Tasmanian Branch), being his name;
- (b) Tim Courtney, Acting First Assistant Commissioner, AEC, being his name and a facsimile of his signature;
- (c) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature;
- (d) Joanne Reid, Director, Funding and Disclosure Branch, AEC, being her name and a facsimile of her signature

Names and work details of officials

46.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

46.10 As regards to giving access to:

- (a) the names of Tim Courtney, Seema Srivastava and Joanne Reid, there is no special circumstance that militates against disclosure.
- (b) a facsimile the signatures of Tim Courtney, Seema Srivastava and Joanne Reid, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

46.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political

party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

46.12 As regards to giving access to John Dowling's name, there is no special circumstance that militates against disclosure.

46.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

46.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 46 are outweighed by the possibility of harm to Mr Courtney, Ms Srivastava and Ms Reid occasioned by the risk of identity theft using a facsimile of his or her signature as an aid.

46.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 46 from which the facsimiles of the signatures of Mr Courtney, Ms Srivastava and Ms Reid are redacted.

46.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 46:

(A) would not unreasonably affect the ALP (Tasmanian Branch) in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect the ALP (Tasmanian Branch) in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of John Dowling, Tim Courtney, Seema Srivastava and Joanne Reid;

(iii) as regards to giving access to a facsimile the signature of Tim Courtney, Seema Srivastava and Joanne Reid,

	<p>there is a special circumstance, namely the risk of identity theft that militates against disclosure; and</p> <p>(iv) Document No. 46 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 46 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 46 from which the facsimile of the signatures of Tim Courtney, Seema Srivastava and Joanne Reid are redacted; and</p> <p>(b) decided to refuse access to Document No. 46 and offer in lieu access to an edited copy of Document No. 46 from which the facsimile of the signatures of Tim Courtney, Seema Srivastava and Joanne Reid are redacted.</p>	
<p>47.</p>	<p>Compliance Review Report <i>ALP (ACT Branch) 2013-14 Annual Disclosure Return</i></p>	<p>4/02/2016</p>
	<p>47.1 Document No. 47 relates to the compliance audit of the return by the ALP (ACT Branch) for the 2013-14 financial year (the '2013-14 Return').</p> <p><i>Business information</i></p> <p>Consultation</p> <p>47.2 The 2013-14 Return is published by the AEC at Returns/55/SKEO6.pdf">http://periodicdisclosures.aec.gov.au>Returns/55/SKEO6.pdf.</p> <p>47.3 As a consequence the matters relating to 2013-14 Return are well known and the ALP (ACT Branch) is known to be associated with those matters.</p> <p>47.4 Attachment C of Document No. 47 contains bank account numbers of ALP (ACT Branch).</p> <p>47.5 It is patently obvious that giving access to the bank account details of ALP (ACT Branch) would, or could reasonably be expected to, unreasonably affect ALP (ACT Branch) in respect of its lawful business, commercial or financial affairs</p>	

because such information could be used to facilitate an electronic attack on the bank account.

Consideration

- 47.6 Document No. 47 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the ALP (ACT Branch).
- 47.7 Document No. 47 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:
- (a) would, or could reasonably be expected to, unreasonably affect ALP (ACT Branch) in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
 - (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).
- 47.8 For the reasons narrated at items 47.2 to 47.6, it is open to me to **found** that disclosure of:
- (a) Attachment C of Document No. 47 could reasonably be expected to affect the ALP (ACT Branch) in respect of its lawful business, commercial or financial affairs by disclosing its bank account details; and
 - (b) the remainder of Document No. 47:
 - (i) does not unreasonably affect the ALP (ACT Branch) in respect of its lawful business, commercial or financial affairs; and
 - (ii) could not reasonably be expected to affect the ALP (ACT Branch) in respect of its lawful business, commercial or financial affairs.

Personal Information

- 47.9 Document No. 47 contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Matt Byrne, party agent of the ALP (ACT Branch), being his name;
 - (b) Tim Courtney, Acting First Assistant Commissioner, AEC, being his name and a facsimile of his signature; and
 - (c) Seema Srivastava, Assistant Commissioner, Funding and Disclosure Branch AEC, being her name and a facsimile of her signature.

Names and work details of officials

47.10 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

47.11 As regards to giving access to:

- (a) the names of Tim Courtney and Seema Srivastava there is no special circumstance that militates against disclosure.
- (b) the facsimiles of the signatures of Tim Courtney and Seema Srivastava, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

47.12 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

47.13 As regards to giving access to Matt Byrne's name, there is no special circumstance that militates against disclosure.

Balancing public interests

47.14 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

- 47.15 The balance of competing public interest after considering the objects of the FOI Act and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 47 are outweighed by the possibility of harm to:
- (a) ALP (ACT Branch) occasioned by disclosing the name of its banker and bank account details
 - (b) Ms Srivastava occasioned by identity theft using a facsimile of her signature.
- 47.16 It is both possible and practicable to prepare an edited copy of Document No. 47 from which:
- (a) the banker and account number of ALP (ACT Branch), and
 - (b) the facsimile of Ms Srivastava's signature,
- are redacted.
- 47.17 I therefore:
- (a) **found** that:
 - (i) disclosure of Document No. 47:
 - (A) would unreasonably affect the ALP (ACT Branch) in respect of its lawful business, commercial or financial affairs; and
 - (B) could reasonably be expected to affect the ALP (ACT Branch) in respect of its lawful business, commercial or financial affairs;
 - (ii) Document No. 47 is conditionally exempt under section 47G of the FOI Act;
 - (iii) there is no special circumstance that militates against disclosure of the names of Matt Byrne, Tim Courtney and Seema;

	<p>(iv) as regards to giving access to a facsimile the signature of Tim Courtney and Seema Srivastava there is a special circumstance, namely the risk of identity theft that militates against disclosure;</p> <p>(v) Document No. 47 is conditionally exempt under section 47F of the FOI;</p> <p>(vi) the balance of competing public interests favours treating Document No. 47 as exempt from access; and</p> <p>(i) it is both possible and practicable to prepare an edited copy of Document No. 47 from which:</p> <p style="padding-left: 40px;">(A) the facsimile of Ms Srivastava's signature; and</p> <p style="padding-left: 40px;">(B) the name of the banker and account number of ALP (ACT Branch),</p> <p style="padding-left: 80px;">are redacted; and</p> <p>(b) decided to refuse access to Document No. 47 and offer in lieu access to an edited copy of Document No. 47 from which the facsimile of the signatures of Tim Courtney and Seema Srivastava are redacted.</p>		
<p>48.</p>	<p>Compliance Investigation Report <i>Australian Motoring Enthusiast Party 2013-14 Annual Disclosure Return</i></p>	<p>18/02/2016</p>	<p>48.1 Document No. 48 relates to the compliance audit of the return by the Australian Motoring Enthusiast Party for the 2013-14 financial year (the '2013-14 Return').</p> <p><i>Business information</i></p> <p>Consultation</p>

48.2 The 2013-14 Return is published by the AEC at: <http://periodicdisclosures.aec.gov.au>Returns/55/SWVN2.pdf>.

48.3 As a consequence the matters relating to 2013-14 Return are well known and the Australian Motoring Enthusiast Party is known to be associated with those matters.

48.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the Australian Motoring Enthusiast Party could not reasonably wish to make an exemption contention because of business information in Document No. 48.

Consideration

48.5 Document No. 48 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely Australian Motoring Enthusiast Party.

48.6 Document No. 48 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect Australian Motoring Enthusiast Party in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

48.7 For the reasons narrated at items 48.2 and 48.3, it is open to me to **found** that disclosure of Document No. 48:

- (a) does not unreasonably affect the Australian Motoring Enthusiast Party in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect the Australian Greens (South Australia) in respect of its lawful business, commercial or financial affairs.

Personal Information

48.8 Document No. contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Keith Littler, party agent of the Australian Motoring Enthusiast Party being his name;
- (b) Tim Courtney, Acting First Assistant Commissioner, AEC being his name and a facsimile of his signature.

Names and work details of officials

48.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

48.10 As regards to giving access to:

- (a) Mr Courtney's name there is no special circumstance that militates against disclosure.
- (b) a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

48.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

48.12 As regards to giving access to the names of Keith Littler, there is no special circumstance that militates against disclosure.

48.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

48.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 48 are outweighed by the risk of harm to Mr

Courtney occasioned by identity theft using a facsimile of his signature.

48.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 48 from which the facsimile of Mr Courtney's signature is redacted.

48.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 48:

(A) would not unreasonably affect the Australian Motoring Enthusiast Party in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect the Australian Motoring Enthusiast Party in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of Tim Courtney, and Keith Littler;

(iii) as regards to giving access to a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure;

(iv) Document No. 48 is conditionally exempt under section 47F of the FOI;

(v) the balance of competing public interests favours treating Document No. 48 as exempt from access; and

(vi) it is both possible and practicable to prepare an edited copy of Document No. 48 from which the facsimile of Mr Courtney's signature is redacted; and

(b) **decided to refuse access** to Document No. 48 and **offer in lieu access to an edited copy** of Document No. 48 from which the facsimile of Mr Courtney's signature is redacted.

49.	Compliance Investigation Report <i>National Union of Workers National Office 2013-14 Annual Disclosure Return</i>	18/02/2016	
	<p data-bbox="275 344 2123 416">49.1 Document No. 49 relates to the compliance audit of the return by the National Union of Workers as an associated entity for the 2013-14 financial year (the '2013-14 Return').</p> <p data-bbox="394 453 719 483"><i>Business information</i></p> <p data-bbox="468 520 663 550">Consultation</p> <p data-bbox="275 595 1944 625">49.2 The 2013-14 Return is published by the AEC at Returns/55/SMJC1.pdf">http://periodicdisclosures.aec.gov.au>Returns/55/SMJC1.pdf .</p> <p data-bbox="275 668 2112 740">49.3 As a consequence the matters relating to 2013-14 Return are well known and the National Union of Workers are known to be associated with those matters.</p> <p data-bbox="275 783 2040 890">49.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the National Union of Workers could not reasonably wish to make an exemption contention because of business information in Document No. 49.</p> <p data-bbox="468 927 685 957">Consideration</p> <p data-bbox="275 1000 2018 1072">49.5 Document No. 49 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the National Union of Workers.</p> <p data-bbox="275 1115 2101 1145">49.6 Document No. 49 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:</p> <ul style="list-style-type: none"> <li data-bbox="394 1189 2074 1260">(a) would, or could reasonably be expected to, unreasonably affect National Union of Workers in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or <li data-bbox="394 1303 2107 1375">(b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the 		

AEC (paragraph 47G(1)(b) of the FOI Act).

49.7 For the reasons narrated at items 49.2 and 49.3, it is open to me to **found** that disclosure of Document No. 49:

- (a) does not unreasonably affect the National Union of Workers in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect the National Union of Workers in respect of its lawful business, commercial or financial affairs.

Personal Information

49.8 Document No. 49 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Timothy Kelly, Secretary National Union of Workers being his name;
- (b) Tim Courtney, Acting First Assistant Commissioner, AEC being his name and a facsimile of his signature; and
- (c) Salman Siddiqui, Senior Compliance Officer, Funding and Disclosure Branch.

Names and work details of officials

49.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

49.10 As regards to giving access to:

- (a) Mr Courtney's and Mr Siddiqui's name there is no special circumstance that militates against disclosure.
- (b) a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

- 49.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.
- 49.12 As regards to giving access to Timothy Kelly's name, there is no special circumstance that militates against disclosure.
- 49.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.
- 49.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 49 are outweighed by the risk of harm to Mr Courtney occasioned by identity theft using a facsimile of his signature.
- 49.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 49 from which the facsimile of Mr Courtney's signature is redacted.
- 49.16 I therefore:
- (a) **found** that:
- (i) disclosure of Document No. 49:
- (A) would not unreasonably affect the National Union of Workers in respect of its lawful business, commercial or financial affairs; and
- (B) could not reasonably be expected to affect the National Union of Workers in respect of its lawful business, commercial or financial affairs;
- (ii) there is no special circumstance that militates against disclosure of the names of Timothy Kelly, Tim Courtney and Salman Siddiqui;
- (iii) as regards to giving access to a facsimile of Mr Courtney's signature, there is a special circumstance, namely the

	<p>risk of identity theft that militates against disclosure;</p> <p>(iv) Document No. 49 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 49 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 49 from which the facsimile of Mr Courtney's signature is redacted; and</p> <p>(b) decided to refuse access to Document No. 49 and offer in lieu access to an edited copy of Document No. 49 from which the facsimile of Mr Courtney's signature is redacted.</p>		
<p>50.</p>	<p>Compliance Review Report <i>ALP (Victorian Branch)</i> 2013-14 Annual Disclosure Return</p>	<p>11/03/2016</p>	<p>50.1 Document No. 50 relates to the compliance audit of the return by the ALP (Victorian Branch) for the 2013-14 financial year (the '2013-14 Return').</p> <p>Business information</p> <p>Consultation</p> <p>50.2 The 2013-14 Return is published by the AEC at Returns/55/SKLF8.pdf">http://periodicdisclosures.aec.gov.au>Returns/55/SKLF8.pdf.</p> <p>50.3 As a consequence the matters relating to 2013-14 Return are well known and the ALP (Victorian Branch) is known to be associated with those matters.</p> <p>50.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the ALP (Victorian Branch) could not reasonably wish to make an exemption contention because of business information in Document No. 50.</p> <p>Consideration</p>

- 50.5 Document No. 50 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the ALP (Victorian Branch).
- 50.6 Document No. 50 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:
- (a) would, or could reasonably be expected to, unreasonably affect ALP (Victorian Branch) in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
 - (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).
- 50.7 For the reasons narrated at items 50.2 and 50.3, it is open to me to **found** that disclosure of Document No. 50:
- (a) does not unreasonably affect the ALP (Victorian Branch) in respect of its lawful business, commercial or financial affairs; and
 - (b) could not reasonably be expected to affect the ALP (Victorian Branch) in respect of its lawful business, commercial or financial affairs.
- Personal Information***
- 50.8 Document No. 50 contains personal information to which section 47F of the FOI Act applies about the following individuals:
- (a) Noah Carroll, party agent of the ALP (Victorian Branch) being his name;
 - (b) Tim Courtney, Acting First Assistant Commissioner, AEC being his name and a facsimile of his signature.
- Names and work details of officials**
- 50.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal

information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

50.10 As regards to giving access to:

(a) Mr Courtney's name there is no special circumstance that militates against disclosure.

(b) a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

50.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

50.12 As regards to giving access to Noah Carroll's name, there is no special circumstance that militates against disclosure.

50.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

50.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX of the *Commonwealth Electoral Act 1918* in giving access to Document No. 50 are outweighed by the risk of harm to Mr Courtney occasioned by identity theft using a facsimile of his signature.

50.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 50 from which the facsimile of Mr Courtney's signature is redacted.

50.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 50:

(A) would not unreasonably affect the ALP (Victorian Branch) in respect of its lawful business, commercial or

	<p>financial affairs; and</p> <p>(B) could not reasonably be expected to affect the ALP (Victorian Branch) in respect of its lawful business, commercial or financial affairs;</p> <p>(ii) there is no special circumstance that militates against disclosure of the names of Tim Courtney and Noah Carroll;</p> <p>(iii) as regards to giving access to a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure;</p> <p>(iv) Document No. 50 is conditionally exempt under section 47F of the FOI;</p> <p>(v) the balance of competing public interests favours treating Document No. 50 as exempt from access; and</p> <p>(vi) it is both possible and practicable to prepare an edited copy of Document No. 50 from which the facsimile of Mr Courtney's signature is redacted; and</p> <p>(b) decided to refuse access to Document No. 50 and offer in lieu access to an edited copy of Document No. 50 from which the facsimile of Mr Courtney's signature is redacted.</p>		
51.	Compliance Report ALP Holdings Pty Ltd as trustee of the ALP Investment Trust 2013-14 Annual Disclosure Return	18/03/2016	
	<p>51.1 Document No. 51 relates to the compliance audit of the return by the ALP Holdings Pty Ltd as trustee of the ALP Investment Trust for the 2013-14 financial year (the '2013-14 Return').</p> <p><i>Business information</i></p> <p>Consultation</p>		

51.2 The 2013-14 Return is published by the AEC at <http://periodicdisclosures.aec.gov.au>Returns/55/SGIR1.pdf>.

51.3 As a consequence the matters relating to 2013-14 Return are well known and the ALP Holdings Pty Ltd and the ALP Investment Trust are known to be associated with those matters.

51.4 In those circumstances it is open to me to determine under subsection 27(3) of the FOI Act that the ALP Holdings Pty Ltd as trustee of the ALP Investment Trust could not reasonably wish to make an exemption contention because of business information in Document No. 51.

Consideration

51.5 Document No. 51 falls within the scope of section 47G of the FOI Act by reason that it is information concerning the business, commercial or financial affairs of an organisation or undertaking, namely the ALP Holdings Pty Ltd as trustee of the ALP Investment Trust.

51.6 Document No. 51 conditionally exempt under section 47G of the FOI Act if it contains information the disclosure of which:

- (a) would, or could reasonably be expected to, unreasonably affect ALP Holdings Pty Ltd as trustee of the ALP Investment Trust in respect of its lawful business, commercial or financial affairs (paragraph 47G(1)(a) of the FOI Act); or
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth, or the AEC for the purpose of the administration of a law of the Commonwealth or the administration of matters administered by the AEC (paragraph 47G(1)(b) of the FOI Act).

51.7 For the reasons narrated at items 51.2 and 51.3, it is open to me to **found** that disclosure of Document No. 51:

- (a) does not unreasonably affect the ALP Holdings Pty Ltd as trustee of the ALP Investment Trust in respect of its lawful business, commercial or financial affairs; and
- (b) could not reasonably be expected to affect the ALP Holdings Pty Ltd as trustee of the ALP Investment Trust in

respect of its lawful business, commercial or financial affairs.

Personal Information

51.8 Document No. 51 contains personal information to which section 47F of the FOI Act applies about the following individuals:

- (a) Reggie Martin, Secretary of ALP Holdings Pty Ltd being his name;
- (b) Tim Courtney, Acting First Assistant Commissioner, AEC being his name and a facsimile of his signature.

Names and work details of officials

51.9 The FOI Guidelines at paragraphs 6.139 to 6.142 give guidance about when it is appropriate to give out personal information of officials. Generally it is appropriate to give out an official's name, unless special circumstances exist.

51.10 As regards to giving access to:

- (a) Mr Courtney's name there is no special circumstance that militates against disclosure.
- (b) a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure.

51.11 It seems appropriate to apply the guidance in paragraphs 6.139 to 6.142 of the FOI Act to an official of a registered political party given that their functions regarding their party is analogous to the functions of a Commonwealth official regarding the employment.

51.12 As regards to giving access to Reggie Martin's name, there is no special circumstance that militates against disclosure.

51.13 In considering competing public interests for the purposes of subsection 11A(5) of the FOI Act you should have regard to the objects of and section 11C the FOI Act and the guidance in paragraphs 6.15 – 6.33 of the FOI Guidelines.

51.14 The balance of competing public interest after considering the objects of the FOI Act and the disclosure regime in Part XX

of the *Commonwealth Electoral Act 1918* in giving access to Document No. 51 are outweighed by the risk of harm to Mr Courtney occasioned by identity theft using a facsimile of his signature.

51.15 The AEC is both possible and practicable to prepare an edited copy of Document No. 51 from which the facsimile of Mr Courtney's signature is redacted.

51.16 I therefore:

(a) **found** that:

(i) disclosure of Document No. 51:

(A) would not unreasonably affect the ALP Holdings Pty Ltd as trustee of the ALP Investment Trust in respect of its lawful business, commercial or financial affairs; and

(B) could not reasonably be expected to affect the ALP Holdings Pty Ltd as trustee of the ALP Investment Trust in respect of its lawful business, commercial or financial affairs;

(ii) there is no special circumstance that militates against disclosure of the names of Tim Courtney and Reggie Martin; and

(iii) as regards to giving access to a facsimile of Mr Courtney's signature, there is a special circumstance, namely the risk of identity theft that militates against disclosure;

(iv) Document No. 51 is conditionally exempt under section 47F of the FOI;

(v) the balance of competing public interests favours treating Document No. 51 as exempt from access; and

(vi) it is both possible and practicable to prepare an edited copy of Document No. 51 from which the facsimile of Mr Courtney's signature is redacted; and

(b) **decided to refuse access** to Document No. 51 and **offer in lieu access to an edited copy** of Document No. 51

	from which the facsimile of Mr Courtney's signature is redacted.
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End