

Privacy Notice – Industrial Elections and Ballots

This privacy notice applies to individuals involved in elections for registered organisations conducted under the [Fair Work \(Registered Organisations\) Act 2009](#), protected action ballots conducted under the [Fair Work Act 2009](#) and fee-for-service events conducted under the [Commonwealth Electoral Act 1918](#) and other associated regulations.

This privacy notice explains:

- what personal information the AEC will collect from you to support these kinds of events
- how the AEC will use, disclose, store and secure this information
- how you can access and correct this personal information.

This collection notice should be read in conjunction with the relevant [industrial elections and ballots guidance](#) and the [AEC Privacy Policy](#).

Collection

The AEC collects personal information in accordance with legislative parameters for the purpose of conducting industrial elections and ballots. Notable sections include:

- The *Fair Work (Registered Organisations) Act 2009* sections 51, 103, 191 and *Fair Work (Registered Organisations) Regulations* section 131(3).
- The *Fair Work Act 2009* sections 452, 453 and 454.

A small number of fee-for-service events may also include the use of the Commonwealth Electoral Roll, if authorised by the Electoral Commissioner under the provisions of the *Commonwealth Electoral Act 1918*.

The types of personal information that are collected to support the AEC in delivering industrial elections and ballots may include:

- Copies of registers of members kept by organisations
- Lists of people or employees of organisations
- Full names
- Positions
- Titles
- Phone numbers
- Signatures
- Dates of birth

- Employee numbers
- Membership numbers
- Electorates
- Gender
- Work and/or personal email addresses
- Residential and/or postal addresses

The AEC is required to handle your personal information in accordance with the [Privacy Act 1988](#) (Privacy Act) and it is recognised that some of the information being collected may include sensitive information for the purposes of the Privacy Act.

Use and disclosure

The AEC will use your information for the purpose of conducting or facilitating the conduct of industrial elections and ballots.

The AEC must make the roll of voters for an industrial election available for inspection and copying during ordinary business hours at the place where the returning officer carries out his or her duties in relation to the election. The inspection period starts on the day after the roll closes and ends 30 calendar days after the declaration of the result of the election. Only members of the relevant organisation and other persons authorised by an electoral official may access the roll. Financial members of registered organisations may request to be provided with roll information for the purpose of determining whether there has been an irregularity in an election. All persons may not use the roll for any other purpose than a purpose in connection with the election or to monitor the accuracy of the information contained within the roll.

The roll of voters for a protected action ballot is not disclosed unless ordered by a court of law. This is because it would likely disclose membership of a trade union, which is considered 'sensitive information' as defined in section 6 of the Privacy Act.

For candidates and nominators, information such as your name and membership number is shared with registered organisations. Registered organisations may choose to publish this information. Candidate names will also be published in the declaration of results, which is distributed to voters.

Information may also be shared with AEC suppliers for the purpose of conducting industrial elections and ballots, such as suppliers who provide mail house services. AEC suppliers must comply with the Privacy Act.

Storage

The AEC will store your personal information to allow the AEC to carry out the functions and purposes outlined above. All information will be securely stored in accordance with the AEC's security policies and the Australian Government's Protective Security Policy Framework.

AEC records, including records containing personal information, are created, kept and destroyed in accordance with the [Archives Act 1983](#) and the preservation and destruction provisions in the Electoral Act and other relevant legislation.

Access to and correcting personal information

Under the Privacy Act you have the right to ask for access to personal information that the AEC holds about you and ask that personal information be corrected. You can ask for access or correction by contacting the Privacy Officer using the details below. If you ask, the AEC must give you access to your personal information and take reasonable steps to correct it if the AEC considers it is incorrect.

Contact us

For further assistance, or if you wish to contact the AEC about this privacy notice, please contact the AEC's Privacy Officer.

You can make an enquiry in writing, over the phone or through our [online privacy enquiry form](#).

You can make a privacy complaint to us in writing, over the phone, or through our online forms. Also note that our [Privacy Policy](#) contains information about how you can complain about a breach of the Australian Privacy Principles and how the AEC will deal with such a complaint.

In writing: The Privacy Officer
Australian Electoral Commission
Locked Bag 4007
Canberra ACT 2601
Australia

Over the phone: 13 23 26

Online forms: You can make a privacy enquiry through our [online privacy enquiry form](#).

When submitting an online enquiry please select "Privacy" from the drop-down menu

[Assisted contact](#) options are also available.

More detailed information about the way the AEC handles your personal information is set out in our [Privacy Policy](#).

You can also obtain further information from the [Office of the Australian Information Commissioner](#) website, or by telephone on 1300 363 992.