

Our ref: AFOI-ER/20/10018

26 October 2020

Ms Vanessa Teague

**By email only:** [foi+request-6754-9d1f69a4@righttoknow.org.au](mailto:foi+request-6754-9d1f69a4@righttoknow.org.au)

Dear Ms Teague

### **Freedom of Information – section 42 – extension of time**

I am writing to advise you that on 16 October 2020, the ACT Ombudsman received a request from the ACT Electoral Commission (**Commission**) for an extension of time to process your access application.

The Commission has applied for an extension of time under section 42 of the *Freedom of Information Act 2016* (ACT) (**FOI Act**) on the grounds of exceptional circumstances, namely, the critical time for the Commission in delivering the 2020 ACT Legislative Assembly Election outcome.

The Commission has requested an extension of time of 14 business days to **13 November 2020**.

Under s 42(3) of the FOI Act, the ACT Ombudsman or his delegate, may, on application under subsection (1), extend the time for a respondent to decide an access application if they believe it is not reasonably possible for the respondent to deal with the application within the required timeframes because:

- a. the application involves dealing with a large volume of information or
- b. the application is complex or
- c. there are other exceptional circumstances.

The ACT Ombudsman has considered the information provided by the Commission in support of its application, and decided to grant the Commission an extension to process your access application to **13 November 2020**. This decision has been made under section 42(3)(c) of the FOI Act.

By granting further time, it is anticipated the Commission provide a well-reasoned and better managed decision.

### **Contact**

If you have any questions relating to this notice, please contact Benjamin Ackhurst, the case officer for this matter, at: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au). Please quote **AFOI-ER/20/10018**.

Yours sincerely



Suseela Durvasula  
Director  
ACT Strategy and FOI