

Our ref: AFOI-ER/20/10019

26 October 2020

T Wilson-Brown

By email only: foi+request-6776-87e33f23@righttoknow.org.au

Dear Sir/Madam

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 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, a critical time for the Commission in delivering the 2020 ACT Legislative Assembly Election outcome.

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

Under s 42(3) of the FOI Act, the ACT Ombudsman or his delegate, may 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 has decided to grant the Commission extension to process your access application to **13 November 2020**, being nine business days. This decision has been made under section 42(3) 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. Please quote **AFOI-ER/20/10019**.

Yours sincerely



Suseela Durvasula
Director
ACT Strategy and FOI