



Our Ref: LS5200 ~ file 14/990

Michael Galbraith

By email to [foi+request-807-fbd3199e@righttoknow.org.au](mailto:foi+request-807-fbd3199e@righttoknow.org.au)

Dear Mr Galbraith

**Re Your FOI Request No. LS5200 re documents re the application for registration of the Liberal Democratic Party**

I refer to your request ('FOI Request') for access to documents relating to the application for registration of the Liberal Democratic Party under the *Freedom of Information Act 1982* (the 'FOI Act'). I apologise for not meeting the extended processing deadline to which you agreed. The delay was an outcome of applying quality control processes to listing the documents.

**SUMMARY**

- 2 I, Paul Pirani, Chief Legal Officer of the Australian Electoral Commission, am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.
- 3 You requested (your 'FOI Request') access to documents that are held in relation to the application for registration of the Liberal Democratic Party (the 'LDP' under Part XI of the *Commonwealth Electoral Act 1918* (Cth) ("Electoral Act"), specifically:
  1. Documents held that relate to the consideration or determination by the AEC of matters arising under s129(1)(c)-(da) of the Electoral Act, and
  2. Documents held by the AEC pursuant to the operation of s132(2)(b)(iv) of the Electoral Act, that is, any submission received by the AEC believing that the application for registration should be refused under s129(1)(c)-(da) ("Submissions"), and any replies received to the Submissions for the purposes of s132(5)(b) of the Electoral Act ("Replies"), and
  3. Documents held by the AEC in relation to any considerations of the Submissions and Replies pursuant to s132(7)(d) of the Electoral Act.

- 4 I identified 94 documents that relate to your request which I list in Annexure 1 to my letter. I did this by directing inquiries to the AEC's Funding and Disclosure Branch that has the carriage of processing applications for registration of political parties under section 133 of the Electoral Act.
- 5 Of the 94 retrieved documents I decided to:
- (a) give access to 11 documents;
  - (b) refuse access to 41 documents and offer in lieu access to edited copies of those documents;
  - (c) refuse access to 26 documents; and
  - (d) subsume a decision about access to 16 documents in the substantive decision made in relation to other retrieved documents of which they were copies.
- 6 Annexure 1 lists each of the retrieved documents with a brief description of each document and the reason for my decision about that document.
- 7 The processing of this request was extended to permit parties affected by the FOI Request to be consulted and you agreed to a further extension to 23 January 2015 to take account of the interruption to processing over the Christmas-New Year period.

## **DECISION AND REASONS FOR DECISION**

### **Decision**

- 8 With regard to the documents identified in Annexure 1, I have decided:
- (a) to grant access in full to Document Nos. 4, 8, 9, 12, 25, 26, 27, 34, 42, 82 and 93;
  - (b) to refuse access Document Nos. 5, 6, 7, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 28, 29, 30, 31, 32, 35, 45, 46, 47, 48, 50, 52, 53, 54, 56, 60, 61, 62, 63, 66, 78, 81, 84, 85, 86, 87 and 91 and to offer in lieu to grant access in part to those documents edited in accordance with section 22 of the FOI Act to delete:
    - (i) irrelevant material from Document No. 32;
    - (ii) exempt material in accordance with section 42 (Documents subject to legal professional privilege) of the FOI Act from Document No. 45,
    - (iii) conditionally exempt material in accordance with section 47C (Public interest conditional exemptions—deliberative processes) from Document Nos. 45 and 60.
    - (iv) conditionally exempt material in accordance with section 47F (Public interest conditional exemptions—personal privacy) from Document Nos. 5, 6, 7, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 28, 29, 30, 31, 35, 45, 46, 47, 48, 50, 52, 53, 54, 56, 60, 61, 62, 63, 66, 78, 81, 84, 85,

86, 87 and, 91 as providing access to the conditionally exempt material would be contrary to the public interest;

- (v) conditionally exempt material in accordance with section 47G (Public interest conditional exemptions—business) from Document No. 81 as providing access would be contrary to the public interest;
- (c) refuse access to Document Nos. 1, 2, 3, 10, 11, 32, 33, 36, 37, 38, 39, 40, 41, 43, 44, 49, 51, 55, 64, 76, 77, 79, 83, 88, 89, 90 and 94 because in the case of:
  - (i) Document Nos. 10, 44, 76, 79 and 83, they are outside the scope of documents that may be requested in an FOI Request by reason of the carve out in paragraph (d) of the definition of document in subsection 4(1) of the FOI Act;
  - (ii) the entirety of Document Nos. 1, 3, 36, 37, 38, 39, 40, 41, 55, 64, 77, 88, 89, 90 and 94 are irrelevant to the FOI Request;
  - (iii) Document Nos. 11, 33, 43, 49 and 51, which contain exempt material for the purposes of section 42 (Documents subject to legal professional privilege) of the FOI Act and it was not practicable to produce a meaningful version of the document by editing it in accordance with section 22 of the FOI Act;
  - (iv) Document Nos. 2 which contains conditionally exempt material for the purposes of section 47F of the FOI Act and it was not practicable to produce a meaningful version of the document by editing it in accordance with section 22 of the FOI Act;
- (d) to subsume my decision on access to Document Nos. 24, 57, 58, 59, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77, 80 and 92 in my decision on access to the substantive document to which it relates as indicated in relation to it in column 4 of Annexure 1.

- 9 I also edited the description of certain documents listed in Annexure 1 to remove conditionally exempt personal information that was unreasonable to publish.

#### **Material taken into account**

- 10 I have taken the following material into account in making my decision:
- (a) the content of the documents that fall within the scope of your request;
  - (b) the FOI Act (specifically sections 3, 3A, 4, 11, 11A, 11B, 15AA, 15AB, 22, 42, 47C, 47F and 47G)
  - (c) the guidelines (the 'Guidelines') issued by the Australian Information Commissioner under section 93A of the FOI Act (specifically 3.85 – 3.90, 6.56 to 6.77, 6.113 – 6.156 and 6.157 – 6.187)

## **Reasons**

### ***Background***

- 11 The LDP was originally registered as the Liberty and Democracy Party on 7 September 2007. The AEC decision on the application to register the LDP is published on the AEC website at [http://www.aec.gov.au/Parties\\_and\\_Representatives/party\\_registration/Registration\\_Decisions/2007/ldp.htm](http://www.aec.gov.au/Parties_and_Representatives/party_registration/Registration_Decisions/2007/ldp.htm).
- 12 The LDP has been continuously registered as a political party on the Register of Political Parties kept by the AEC under section 125 of the Electoral Act since 7 September 2007.

### ***Documents subject to legal professional privilege***

- 13 Document Nos. 11, 33, 44, 45, 49 and 51 contain material that is subject to legal professional privilege belonging to the AEC being substantive communications between the AEC and its in house lawyer by way of requesting and providing legal advice in relation to the application to register the LDP.
- 14 Each request for advice was made in the following circumstances:
- (a) The lawyer was an admitted legal practitioner.
  - (b) The terms of the lawyer's employment included giving legal advice as from time to time required by the AEC in relation to the performance of its functions, in this case the consideration of the application to register the LDP on the Register of Political Parties.
  - (c) The terms of the lawyer's employment being such that it is not lawful to give the lawyer a direction as to the conclusion that should be reached in relation to the matter under advice.
  - (d) The lawyer advising was giving independent professional legal advice. The lawyer was an admitted legal practitioner.
  - (e) A solicitor-client relationship existed between the lawyer and the AEC in relation to the giving of that advice.
- 15 The terms of the advice were and remain confidential and the AEC has not waived its legal professional privilege in respect of the requests for advice and the advice given by the lawyer.
- 16 However, although Document No. 34 is correspondence between a solicitor and client, legal professional privilege does not accrue because it is formal correspondence that does not contain a privileged communication: see *Commonwealth of Australia v Dutton* [2000] FCA 1466 per Moore J at paragraph 43.

### ***Documents containing deliberative matter***

- 17 Document Nos. 45, 60 and 77 contain conditionally exempt material for the purposes of section 47C (Public interest conditional exemptions—deliberative processes) of the FOI Act.
- 18 Among the AEC's functions is the consideration of applications for the registration of an eligible political party made under section 126 of the Electoral Act.
- 19 Document Nos. 45, 60 and 77 record the deliberations by the AEC of an application made under section 126 of the Electoral Act by the LDP.
- 20 Section 47C of the FOI Act applies to conditionally exempt the deliberations other than:
- (i) operational information; and
  - (ii) purely factual material.
- 21 Paragraphs 6.56 to 6.77 of the Guidelines give guidance about how a decision maker should decide whether material is exempt under section 47C of the FOI Act.
- 22 In particular, paragraph 6.62 of the Guidelines states:

6.62 A deliberative process involves the exercise of judgement in developing and making a selection from different options:

The action of deliberating, in common understanding, involves the weighing up or evaluation of the competing arguments or considerations that may have a bearing upon one's course of action. In short, the deliberative processes involved in the functions of an agency are its thinking processes – the processes of reflection, for example, upon the wisdom and expediency of a proposal, a particular decision or a course of action.<sup>24</sup>

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24 See *Re JE Waterford and Department of Treasury (No 2)* [1984] AATA 67. See *British American Tobacco Australia Ltd and Australian Competition and Consumer Commission* [2012] AICmr 19, [15]–[22]. See also *Carver and Fair Work Ombudsman* [2011] AICmr 5 in relation to code of conduct investigations.

- 23 It was open to me to find that Document Nos. 45, 60 and 77 contain deliberative material relating to the consideration of the LDP application under section 126 of the Electoral Act.
- 24 I detail in column 4 of Annexure 1 my finding in respect of each of Document Nos. 45, 60 and 77.

### ***Documents containing Personal Information***

- 25 Section 47F of the FOI Act applies to a document to the extent that disclosure under the FOI Act would involve the unreasonable disclosure of personal information about that individual.
- 26 I have not addressed the application of section 47F of the FOI Act to documents to which I have refused access on other grounds.

27 Document Nos. 2, 5, 6, 7, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 28, 29, 30, 31, 32, 34, 35, 42, 45, 46, 47, 48, 50, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 68, 71, 75, 77, 78, 81, 82, 84, 85, 86, 87, 91 and 92 contain personal information of various types as discussed below.

**(a) Publication of names of LDP members and officials**

28 Publication of the names of individual members of the LDP (other than its secretary or party agent) would publicly link that person to the political party thereby gratuitously providing further personal information about that person. The risk of such a member encountering hostility by reason of the link to the party makes it unreasonable to publish their names and other detail.

29 The secretary, registered officer and the party agent are the public interface of the LDP and it is reasonable to give the names of these officials of the LDP in connection with the LDP.

**(b) Publication of LDP addresses**

30 Publication of the addresses of individual members of the LDP (other than its secretary or party agent) would publicly link that person to the political party thereby gratuitously providing further personal information about that person. The risk of such a member encountering hostility by reason of the link to the party makes it unreasonable to publish their names and other detail.

31 The secretary and the party agent are the public interface of the LDP and it is not unreasonable to give the official addresses of these officials of the LDP.

32 However, it is unreasonable to disclose the private address of Senator Leyonhjelm because Mr Leyonhjelm has been accepted for enrolment under section 104 of the Electoral Act with the outcome that his private address is not shown on the electoral Roll (i.e. he is a silent elector).

**(c) Publication of LDP telephone numbers**

33 The reasoning at paragraphs 30 - 32 above apply also to the reasonableness of publishing telephone numbers of members, employees and officials of the LDP (other than the Secretary-Treasurer, Registered Officer and Party Agent).

34 It is also unreasonable to publish private telephone numbers of Senator Leyonhjelm as he is a silent elector.

35 Senator Leyonhjelm has an office at which he may be contacted in his public capacity as a Senator.

**(d) Publication of details of officials**

36 A number of the documents contain personal information about AEC officials, other Commonwealth officials or State or Territory officials ('Public Officials') being the official's:

(a) name;

(b) telephone number;

- (c) fax number;
- (d) official postal address; and
- (e) email address;

37 The guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the 'Guidelines') at paragraph 6.140 say:

Where public servants' personal information is included in a document because of their usual duties or responsibilities, it would not be unreasonable to disclose unless special circumstances existed.

38 I do not see any special circumstance existing that would require withholding of the names and contact details of AEC officials.

**(e) *Facsimiles of signatures***

39 Consideration of the risk of identity theft being facilitated by publishing a facsimile of an individual's signature or manuscript initialling of a document militates against finding that it is reasonable to publish a facsimile of the individual's signature or manuscript initialling of a document.

***Business information***

40 Section 47G of the FOI Act applies to Document No. 81 with the consequence that a decision maker must decide whether it is reasonable to give access to the particular item of business information.

41 I believe that giving access to the business account details puts at risk misuse of those details to authorise the publishing of spurious *Gazette* notices. It follows that it is unreasonable to disclose this business information.

42 Also, for this reason giving access to the business information would be contrary to the public interest.

***Documents outside the scope of FOI Requests***

43 I found that Document Nos. 10, 44, 76, 79 and 83 are outside the scope of documents that may be requested in an FOI Request by reason of the carve out in paragraph (d) of the definition of document in subsection 4(1) of the FOI Act.

44 Document No. 10 has been published for reference on the websites of the several State and Territory Electoral Commissions.

45 Document Nos. 44 and 76 are extracts of the Electoral Act which Act is published for reference on the Comlaw website at  
<http://www.comlaw.gov.au/Series/C1918A00027>.

46 Document No. 79 is the reasons for decision made on the application to register the LDP which are published for reference on the AEC website at  
[http://www.aec.gov.au/Parties\\_and\\_Representatives/party\\_registration/Registration\\_Decisions/2007/ldp.htm](http://www.aec.gov.au/Parties_and_Representatives/party_registration/Registration_Decisions/2007/ldp.htm).

47 Document No. 83 is a copy of Special Gazette S176 published on 11 September 2007 and republished for reference on the Comlaw website at <http://www.comlaw.gov.au/file/2007GN37>.

48 In so far as is material, subsection 4(1) of the FOI provides:

**4 Interpretation**

(1) In this Act, unless the contrary intention appears:

**document** includes:

...

but does not include:

(d) material maintained for reference purposes that is otherwise publicly available; or

49 It follows that Document Nos. 10, 44, 76, 79 and 83 are out of scope of the class of document that may be requested under Part III of the FOI Act as a consequence of the operation of the carve out from the definition of 'document' provided by paragraph (d) of subsection 4(1) of the FOI

**Redaction of exempt material**

50 It is appropriate to treat a conditionally exempt document to which access in full is refused as an exempt document for the purposes of section 22 of the FOI Act.

51 As a decision maker, I am required to consider the application to a document of section 22 of the FOI Act which provides for access being given to edited copies of documents with exempt or irrelevant matter deleted.

52 It is open to me to consider whether, for the purposes of paragraph 22(1)(b) of the FOI, it is possible for the AEC to prepare a copy (an edited copy) of the document, modified by deletions, ensuring that the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the FOI Request or be exempt information. My consideration of this issue is indicated in the fourth column of Annexure 1.

53 It is also open to consider whether, for the purposes of paragraph 22(1)(c) of the FOI Act, having regard to the resources available to modify the relevant document, it is reasonably practicable for the AEC to prepare the edited copy of that document. My consideration of this issue is indicated in the fourth column of Annexure 1.

**OFFER OF EDITED DOCUMENTS**

54 In accordance with paragraph 8 of this letter, I offer to provide you with an edited version of documents listed in paragraph 8 of this letter with the deletions described in that paragraph. This offer remains open for acceptance for 30 days from the date of this letter.

55 If the offer is not accepted within the 30 day period, then the decision in paragraph 8 of this letter to refuse access the documents listed in paragraph 8 will stand.



## YOUR REVIEW RIGHTS

- 56 If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

### Internal review

- 57 Under section 54 of the FOI Act, you may apply in writing to the AEC for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter.
- 58 Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by another officer within 30 days.

### Information Commissioner review

- 59 Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

online: <https://forms.australia.gov.au/forms/oaic/foi-review/>

email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

post: GPO Box 2999, Canberra ACT 2601

in person: Level 3, 175 Pitt Street, Sydney NSW

- 60 More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to [www.oaic.gov.au/foi-portal/review complaints.html#foi merit reviews](http://www.oaic.gov.au/foi-portal/review%20complaints.html#foi%20merit%20reviews).

## Questions about this decision

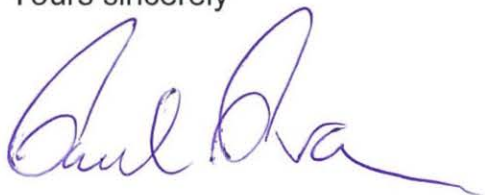
If you wish to discuss this decision, please contact Owen Jones, Senior Lawyer whose contact details are:

Email: [owen.jones@aec.gov.au](mailto:owen.jones@aec.gov.au)

Telephone: 02 6271 4528

Fax: 02 6293 7657

Yours sincerely



Paul Pirani  
Chief Legal Officer

27 January 2015



**AEC FILE 2007/384 – PARTY REGISTRATION,  
REGISTRATION, LIBERAL DEMOCRATIC PARTY**

## FOI REQUEST

Request for:

documents that are held in relation to the application for registration of the Liberal Democratic Party under Part XI of the Commonwealth Electoral Act 1918 (Cth) ("Electoral Act"), specifically:

1. Documents held that relate to the consideration or determination by the AEC of matters arising under s129(1)(c)-(da) of the Electoral Act, and
2. Documents held by the AEC pursuant to the operation of s132(2)(b)(iv) of the Electoral Act, that is, any submission received by the AEC believing that the application for registration should be refused under s129(1)(c)-(da) ("Submissions"), and any replies received to the Submissions for the purposes of s132(5)(b) of the Electoral Act ("Replies"), and
3. Documents held by the AEC in relation to any considerations of the Submissions and Replies pursuant to s132(7)(d) of the Electoral Act.

### LIST OF DOCUMENTS

Document No.	Description	Date	Recommendation\Decision
1	File Request Form  Folio 1 of file 2007/384	08/03/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 1 contains irrelevant material that is the entirety of Document No. 1;</p> <p>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 1 from which the irrelevant material is redacted;</p>

			<p>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</p> <p>(d) <b>decide to refuse access to</b> Document No. 1.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 1.</p>
2	<p>Printed list of names, dates of birth, addresses and other contact details of party members lodged with the application. Removed from the file on 23.01.2008 as personal information that should not be kept on file</p> <p>Folios 2-31 of file 2007/384</p>		<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 2 contains personal information, namely names and contact details, of persons named as a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</p> <p>(b) find that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information.</p> <p>(c) <b>find</b> that disclosure of the personal information members of the LDP (namely their names and contact details) would be unreasonable for the purposes of subsection 47F of the FOI Act;</p> <p>(d) <b>find</b> that, for the purposes of paragraph 22(1)(b) of the FOI, it is <b>not possible</b> for the AEC to prepare an edited copy of Document No. 2, modified by appropriate deletions that ensure that the edited copy does not disclose any information that would reasonably be regarded as irrelevant to the FOI Request or be exempt information because the extent of such deletions would make an edited version of Document No. 2 meaningless</p>

			<p>(e) <b>decide to refuse access</b> to Document No. 2.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access</b> to Document No. 2.</p>
3	<p>Note explaining removal of folios 2 – 31 of file 2007/384.</p> <p>Folio 33 of file 2007/384</p>	23/01/2008	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 3 contains irrelevant material that is the entirety of Document No. 3;</p> <p>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 3 from which the irrelevant material is redacted;</p> <p>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</p> <p>(d) <b>decide to refuse access to</b> Document No. 3.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 3.</p>
4	<p>Liberal Democratic Party (LDP) Constitution lodged with application</p> <p>Folios 33-41</p>	03/03/2006	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 4 contains no exempt material or</p>

	of file 2007/384		<p>conditionally exempt material; and</p> <p>(b) <b>decide</b> to give access in full to Document No. 4.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided</b> to give <b>access</b> Document No. 4.</p>
5	<p>Statutory declaration from David Leyonhjelm LDP secretary annexing membership forms from 1356 party members</p> <p>Folio 42 of file 2007/384</p>	21/02/2007	<p>1 I recommend that you:</p> <p>(a) <b>find</b> that Document No. 5 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that disclosure of Mr Leyonhjelm's name as the declarant of the statutory declaration is reasonable.</p> <p>(c) <b>find</b> that it is unreasonable to give access to the address of Senator Leyonhjelm and that on balance protecting the safety of a silent elector outweighs the public interest in giving access to that information;</p> <p>(d) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's signature;</p> <p>(e) <b>find</b> that the disclosure of the address of the witness is unreasonable;</p> <p>(f) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 5 from which the facsimile of the individual's signature is</p>

			<p>redacted;</p> <p>(g) <b>find</b> that, on balance, the factors favouring giving access in full to Document No. 5 are outweighed by the factors favouring it being contrary to the public interest to give such access, namely the harm to an individual that could arise from identity theft facilitated by access to a facsimile of the individual's signature;</p> <p>(h) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(i) <b>decide to refuse access to</b> Document No. 5 and <b>offer in lieu access to an edited copy</b> of Document No. 5 from which the exempt material is redacted.</p> <hr/> <p>I have:</p> <p>(i) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(ii) <b>decided to refuse access to</b> Document No. 5 and <b>offer in lieu access to an edited copy</b> of Document No. 5 from which the relevant conditionally exempt material is redacted.</p>
6	<p>Application for registration of a political party ...</p> <p>Folios 43-44 of file 2007/384</p>	02/02/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 6 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to names of members of the LDP (other than the secretary and party agent);</p> <p>(c) <b>find</b> that the risk of identity theft makes it unreasonable to give access to a facsimile of an individual's signature;</p>

			<p>(d) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to addresses of members of the LDP (other than the secretary and party agent);</p> <p>(e) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to telephone number of Senator Leyonhjelm;</p> <p>(f) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 6 from which the facsimile of the individual's signature is redacted;</p> <p>(g) <b>find</b> that, on balance, the factors favouring giving access in full to Document No. 6 are outweighed by the factors favouring it being contrary to the public interest to given such access, namely the harm to an individual that could arise from identity theft facilitated by access to a facsimile of the individual's signature;</p> <p>(h) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(i) <b>decide to refuse access to</b> Document No. 6 and <b>offer in lieu access to an edited copy</b> of Document No. 6 from which the facsimile of the individual's signature is redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) decided to <b>refuse access to</b> Document No. 6 and <b>offer in lieu access to an edited copy</b> of Document No. 6 from which the facsimile of the individual's signature is redacted.</p>
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7	<p>Letter from David Leyonhjelm, LDP secretary/treasurer to AEC covering application</p> <p>Folio 45 of file 2007/384</p>	21/02/2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 7 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that the risk of identity theft makes it unreasonable to give access to a facsimile of signature of Senator Leyonhjelm;</li> <li>(c) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to private addresses of Senator Leyonhjelm;</li> <li>(d) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to telephone number of Senator Leyonhjelm;</li> <li>(e) <b>find</b> that, on balance, the factors favouring giving access in full to Document No. 7 are outweighed by the factors favouring it being contrary to the public interest to give such access, namely the harm to an individual that could arise from identity theft facilitated by access to a facsimile of the individual's signature;</li> <li>(f) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 7 from which the facsimile of the individual's signature is redacted;</li> <li>(g) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</li> <li>(h) <b>decide to refuse access to</b> Document No. 7 and <b>offer in lieu access to an edited copy</b> of Document No. 7 from which the facsimile of the individual's signature is redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained</li> </ul>
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			<p>in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 7 and <b>offer in lieu access to an edited copy</b> of Document No. 7 from which the facsimile of the individual's signature is redacted.</p>
8	<p>Copy of AEC receipt for \$500 made out to LDP</p> <p>Folio 46 of file 2007/384</p>	22/07/2007	<p>1 Document No. 8 contains no exempt material or conditionally exempt material.</p> <p>2 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 8 contains no exempt material or conditionally exempt material.</p> <p>(b) <b>give</b> access in full to Document No. 8.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) decided to give <b>access</b> to Document No. 8.</p>
9	<p>Email from Shawn O'Brien AEC to David Leyonhjelm LDP advising receipt of application</p> <p>Folio 47 of file 2007/384</p>	22/02/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 9 contains no exempt material but does contain conditionally exempt material to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to disclose the name and official email address of the Secretary-Treasurer of the LDP; and</p> <p>(c) <b>decide</b> to give access in full to Document No. 9.</p>

			<hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</li> <li>(b) decided to give <b>access</b> to Document No. 9.</li> </ul>
10	<p>Copies of the Registers of Political Parties shown on the ACT, NSW, NT, Qld, SA, Tas, Vic and WA Electoral Commission websites</p> <p>Folios 48-60 of file 2007/384</p>	13/03/2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>Find</b> that Document No. 10 consists of downloads from State and Territory Electoral Commission website;</li> <li>(b) <b>find</b> that Document No. 10 is out of scope of the class of document that may be requested under Part III of the FOI Act by reason that each document is published for reference; and</li> <li>(c) <b>refuse</b> access to Document No. 10.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</li> <li>(b) <b>decided to refuse access</b> to Document No. 10.</li> </ul>
11	<p>Approved request for a legal opinion on the party name to be sent to the Legal Services Section of the AEC</p> <p>Folio 61-65 of file 2007/384</p>	23/07/2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 11 would be privileged from production in legal proceedings on the ground of legal professional privilege;</li> <li>(b) <b>find</b> that the AEC has not waived the legal professional privilege accruing to Document No. 11; and</li> <li>(c) <b>decide to refuse access</b> to Document No. 11.</li> </ul>

			<hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided</b> to refuse access to Document No. 11.</p>
12	<p>Email from Shawn O'Brien, Assistant Director, Funding and Disclosure to LDP Treasurer Re <i>Re: application for party registration</i> with thread including:</p> <ul style="list-style-type: none"> <li>Email dated 21/03/2007 01:44 PM from David Leyonhjelm, Secretary-Treasurer LDP re David Leyonhjelm, Secretary-Treasurer LDP re <i>application for party registration</i>;</li> <li>Email dated 5/03/2007 6:07 PM from Shawn O'Brien, Assistant Director, Funding and Disclosure to LDP Treasurer re <i>Re: receipt of application for party registration</i>;</li> <li>Email dated 22/02/2007 03:12 PM from David Leyonhjelm, Secretary-Treasurer LDP to Shawn O'Brien re <i>Re: receipt of application for party</i></li> </ul>	03/04/2007 11:39 AM	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 12 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is reasonable to give access to the name and contact details of the Secretary-Treasurer of the LDP; and</p> <p>(d) <b>decide</b> to give access <b>in full</b> to Document No. 12.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided</b> to give access to Document No. 12.</p>

	<i>registration</i> Folios 66-69 of file 2007/384		
13	Letter from Shawn O'Brien AEC to David Leyonhjelm LDP formally acknowledging receipt of application and enclosing receipt Folio 70 of file 2007/384	11/04/2007	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 13 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> <li>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's signature;</li> <li>(d) find that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</li> <li>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 13 from which the conditionally exempt material is redacted;</li> <li>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</li> <li>(g) <b>decide to refuse access to</b> Document No. 13 and <b>offer in lieu access to an edited copy</b> of Document No. 13 from which the names and contact details of LDP members are redacted.</li> </ul> <hr/> <p>I have:</p>

			<p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 13 and <b>offer in lieu access to an edited copy</b> of Document No. 13 from which the names and contact details of LDP members are redacted.</p>
14	<p>Email from Shawn O'Brien, Assistant Director, Funding and Disclosure to Monash Sahedeo re FW: receipt of application for party registration with thread including:</p> <p>Email dated 24/04/2007 03:21 PM from David Leyonhjelm, Secretary-Treasurer, LDP to Shawn O'Brien re Re receipt of application for party registration</p> <p>Email dated 24/04/2007 11:58 AM from Shawn O'Brien to David L</p> <p>Folios 71-76 of file 2007/384</p>	24/04/2007 03:23 PM	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 14 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is reasonable to give access to the name and contact details of the Secretary-Treasurer of the LDP;</p> <p>(d) <b>find</b> that it unreasonable to give access to the private email address of Senator Leyonhjelm and on balance the protection of Senator Leyonhjelm from harassment outweighs the public interest in giving access to that information;</p> <p>(e) <b>find</b> that it is unreasonable to give access to the personal information about members in the membership list and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</p> <p>(f) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 14 from which the conditionally exempt material is redacted;</p> <p>(g) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p>

			<p>(h) <b>decide to refuse access to</b> Document No. 14 and <b>offer in lieu access to an edited copy</b> of Document No. 14 from which the:</p> <p>(i) private email address of Senator Leyonhjelm; and</p> <p>(ii) personal information about members in the membership list, are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 14 and <b>offer in lieu access to an edited copy</b> of Document No. 14 from which the:</p> <p>(i) private email address of Senator Leyonhjelm; and</p> <p>(ii) personal information about members in the membership list are redacted.</p>
15	<p>Email from Cathy Geier, AEC to Monash Sahadeo, AEC re <i>Attention Monash</i> with thread including:</p> <ul style="list-style-type: none"> <li>Email dated 26/04/2007 08:33 from 1 [REDACTED] to fad@aec.gov.au re <i>Attention Monash</i></li> <li>Email dated 20/03/2007 6:58 PM from 1 [REDACTED], Communications Officer, LDP to 1 [REDACTED] re</li> </ul>	26/04/2007 08:13 AM	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 15 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to the name and contact details of officials other than the Secretary-Treasurer or party agent of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public</p>



	<p><i>Re LDP</i></p> <ul style="list-style-type: none"> <li>Email dated 17/03/2007 1:54 PM from 1 [REDACTED] to <a href="mailto:info@ldp.org.au">info@ldp.org.au</a> re resignation from party</li> </ul> <p>Folios 77-78 of file 2007/384</p>		<p>interest in giving access to that information;</p> <p>(d) <b>find</b> that it is unreasonable to give access to the name and contact details of LDP members of a political party and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</p> <p>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 15 from which the conditionally exempt material is redacted;</p> <p>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(g) <b>decide to refuse access to</b> Document No. 15 and offer in lieu <b>access to an edited copy</b> of Document No. 15 from which the names and contact details of LDP members and officials (other than the Secretary or Party Agent) are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 15 and <b>offer in lieu access to an edited copy</b> of Document No. 15 from which the names and contact details of LDP members and officials (other than the Secretary or Party Agent) are redacted.</p>
16	<p>Letter from Shawn O'Brien AEC to 1 [REDACTED] querying membership of LDP with manuscript annotation of 1 [REDACTED] telephone response 01/05/2007</p>	26/04/2007	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 16 contains personal information to which section 47F of the FOI Act applies;</p>



	Folio 79 of file 2007/384		<p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's signature;</p> <p>(d) find that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</p> <p>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 16 from which the conditionally exempt material is redacted;</p> <p>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(g) <b>decide to refuse access to</b> Document No. 16 and offer in lieu <b>access to an edited copy</b> of Document No. 16 from which the names and contact details of LDP members are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 16 and <b>offer in lieu access to an edited copy</b> of Document No. 16 from which the names and contact details of LDP members are redacted.</p>
17	Letter from Shawn O'Brien AEC to querying membership 1	26/04/2007	

	<p>of LDP</p> <p>Folio 80 of file 2007/384</p>	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 17 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> <li>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's signature;</li> <li>(d) find that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</li> <li>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 16 from which the conditionally exempt material is redacted;</li> <li>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</li> <li>(g) <b>decide to refuse access to</b> Document No. 17 and offer in lieu <b>access to an edited copy</b> of Document No. 17 from which the names and contact details of LDP members are redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 17 and <b>offer in lieu access to an edited copy</b> of Document No. 17 from</li> </ul>
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			which the names and contact details of LDP members are redacted.
18	<p>Letter from Shawn O'Brien AEC to  <b>1</b> re application to  register LDP</p> <p>Folio 81 of file 2007/384</p>	26/04/2007	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 18 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> <li>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's signature;</li> <li>(d) find that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</li> <li>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 18 from which the conditionally exempt material is redacted;</li> <li>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</li> <li>(g) <b>decide to refuse access to</b> Document No. 18 and offer in lieu <b>access to an edited copy</b> of Document No. 18 from which the names and contact details of LDP members are redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained</li> </ul>



			<p>in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 18 and <b>offer in lieu access to an edited copy</b> of Document No. 18 from which the names and contact details of LDP members are redacted.</p>
19	<p>Letter from Shawn O'Brien AEC to 1 re application to register LDP</p> <p>Folio 82 of file 2007/384</p>	27/04/2007	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 19 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's signature;</p> <p>(d) find that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information; and</p> <p>(e) <b>decide to refuse access to</b> Document No. 19 and offer in lieu <b>access to an edited copy</b> of Document No. 19 from which the names and contact details of LDP members are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 19 and <b>offer in</b></p>

			<b>lieu access to an edited copy</b> of Document No. 19 from which the names and contact details of LDP members are redacted.
20	<p>Letter from Shawn O'Brien AEC to 1 re application to register LDP</p> <p>Folio 83 of file 2007/384</p>	27/04/2007	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 20 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> <li>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's signature;</li> <li>(d) find that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information; and</li> <li>(e) <b>decide to refuse access to</b> Document No. 20 and offer in lieu <b>access to an edited copy</b> of Document No. 20 from which the names and contact details of LDP members are redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 20 and <b>offer in lieu access to an edited copy</b> of Document No. 20 from which the names and contact details of LDP members are</li> </ul>



			redacted.
21	<p>Letter from Shawn O'Brien AEC to  <b>1</b> querying membership of  LDP</p> <p>Folio 84 of file 2007/384</p>	27/04/2007	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 21 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> <li>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and manuscript initialling and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's signature or manuscript initialling;</li> <li>(d) find that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</li> <li>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 21 from which the conditionally exempt material is redacted;</li> <li>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</li> <li>(g) <b>decide to refuse access to</b> Document No. 21 and offer in lieu <b>access to an edited copy</b> of Document No. 21 from which the names and contact details of LDP members are redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained</li> </ul>

			<p>in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 21 and <b>offer in lieu access to an edited copy</b> of Document No. 21 from which the names and contact details of LDP members are redacted.</p>
22	<p>Letter from Shawn O'Brien AEC to 1 querying membership of LDP</p> <p>Folio 85 of file 2007/384</p>	27/04/2007	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 22 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and manuscript initialling and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's signature or manuscript initialling;</p> <p>(d) <b>find</b> that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</p> <p>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 22 from which the conditionally exempt material is redacted;</p> <p>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(g) <b>decide to refuse access to</b> Document No. 22 and <b>offer in lieu access to an edited copy</b> of Document No. 22 from which the names and contact details of LDP members and the facsimile of</p>



			<p>an individual's signature are redacted.</p> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 22 and <b>offer in lieu access to an edited copy</b> of Document No. 22 from which the names and contact details of LDP members are redacted.</li> </ul>
23	<p>Note for file of phonecall received from 1 [REDACTED]</p> <p>Folio 86 of file 2007/384</p>	01/05/2007	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 23 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> <li>(c) <b>find</b> that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</li> <li>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 23 from which the conditionally exempt material is redacted;</li> <li>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</li> <li>(f) <b>decide to refuse access to</b> Document No. 23 and <b>offer in lieu access to an edited copy</b> of Document No. 23 from which the names and contact details of LDP members are redacted.</li> </ul>



			<hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 23 and <b>offer in lieu access to an edited copy</b> of Document No. 23 from which the names and contact details of LDP members are redacted.</li> </ul>
24	<p>Email dated 22/02/2007 03:12 PM from David Leyonhjelm, Secretary-Treasurer LDP to Shawn O'Brien re <i>Re: receipt of application for party registration</i></p> <p>Folios 87-88 of file 2007/384</p>	22/02/2007	<p>1 I recommend that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 24 is included in the email thread of Document No. 12.</li> <li>(b) <b>decide</b> to subsume your decision about access to Document No. 24 in your decision about access to Document No. 12.</li> </ul> <hr/> <p>I have</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</li> <li>(b) <b>decided to subsume</b> my decision about access to Document No. 24 in my decision about access to Document No. 12.</li> </ul>
25	<p>Email from David Leyonhjelm, LDP to Shawn O'Brien, AEC re <i>receipt of party registration</i> with thread including:</p> <ul style="list-style-type: none"> <li>• Email dated 22/02/2007 2:59 PM from Shawn O'Brien, AEC to David Leyonhjelm, Secretary, LDP</li> </ul>	05/03/2007 04:22 PM	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 25 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> </ul>

	<p><i>re receipt of party registration</i></p> <p>Folios 89-90 of file 2007/384</p>		<p>(c) <b>find</b> that it is reasonable to give access to the name and official contact details of the Secretary-Treasurer of the LDP; and</p> <p>(d) <b>decide</b> to give access to Document No. 25.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided</b> to give access to Document No. 25.</p>
26	<p>Email from David Leyonhjelm, Secretary-Treasurer, LDP to Shawn O'Brien, AEC re <i>Re: receipt of application for party registration</i> with thread:</p> <ul style="list-style-type: none"> <li>Email dated 5/03/2007 6:07 PM from Shawn O'Brien, AEC to David Leyonhjelm, Secretary-Treasurer, LDP re <i>receipt of application for party registration</i></li> </ul> <p>Folios 91-92 of file 2007/384</p>	<p>05/03/2007 06:13 PM</p>	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 26 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is reasonable to give access to the name and official contact details of the Secretary-Treasurer of the LDP; and</p> <p>(d) <b>decide</b> to give access to Document No. 26.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided</b> to give access to Document No. 26.</p>
27	<p>Email from Shawn O'Brien, AEC to David Leyonhjelm, Secretary-Treasurer, LDP re <i>Re: application for party registration</i> with thread including:</p>	<p>03/04/2007 11:44 AM</p>	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 27 contains personal information to which section 47F of the FOI Act applies;</p>

	<ul style="list-style-type: none"> <li>Email dated 21/03/2007 01:44 PM from David Leyonhjelm, Secretary-Treasurer, LDP to Shawn O'Brien, AEC re <i>application for party registration</i></li> <li>Email dated 5/03/2007 6:07 PM from Shawn O'Brien, AEC to David Leyonhjelm, Secretary-Treasurer, LDP</li> </ul> <p>Folios 93-94 of file 2007/384</p>		<p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is reasonable to give access to the name and official contact details of the Secretary-Treasurer of the LDP; and</p> <p>(d) <b>decide</b> to give access to Document No. 27.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided</b> to give access to Document No. 27.</p>
28	<p>Email from David Leyonhjelm, Secretary-Treasurer, LDP to Shawn O'Brien, AEC re <i>Fw: application for party registration</i> with thread including:</p> <ul style="list-style-type: none"> <li>Email dated 3/4/2007 11:44 AM from Shawn O'Brien, AEC to David Leyonhjelm, Secretary-Treasurer, LDP re <i>Re: application for party registration</i></li> </ul> <p>Folios 95-96 of file 2007/384</p>	13/04/2007 09:06 AM	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 28 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is reasonable to give access to the name and contact details of the Secretary-Treasurer of the LDP;</p> <p>(d) <b>find</b> that it is unreasonable to give access to the personal information about members in the membership list relating to their names, addresses and telephone numbers and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</p> <p>(e) <b>find</b> that it is reasonable to give access to the de-identified information about the dates of birth and indication of gender of LDP members;</p> <p>(f) <b>find</b> that the objects of the Act in giving access to a document</p>

			<p>containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 28 from which the conditionally exempt material is redacted;</p> <p>(g) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(h) <b>decide to refuse access to</b> Document No. 28 and <b>offer in lieu access to an edited copy</b> of Document No. 28 from which the name, address and telephone numbers of members listed in the membership list are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 28 and <b>offer in lieu access to an edited copy</b> of Document No. 28 from which the name, address and telephone numbers of members listed in the membership list are redacted.</p>
29	<p>Email from Shawn O'Brien, AEC to David Leyonhjelm, Secretary-Treasurer, LDP re <i>receipt of application for party registration</i> with thread including:</p> <ul style="list-style-type: none"> <li>Email dated 3/05/2007 10:59 AM from David Leyonhjelm, Secretary-Treasurer, LDP to Shawn O'Brien, AEC re <i>receipt of application for party registration</i>;</li> <li>Email dated 24/04/2007</li> </ul>	08/05/2007 10:42 AM	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 29 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is reasonable to give access to the name and contact details of the Secretary-Treasurer of the LDP;</p> <p>(d) <b>find</b> that it unreasonable to give access to the private email address of Senator Leyonhjelm;</p> <p>(e) <b>find</b> that the objects of the Act in giving access to a document</p>

	<p>11:58 AM from Shawn O'Brien, AEC to David Leyonhjelm, Secretary-Treasurer, LDP re <i>receipt of application for party registration</i></p> <ul style="list-style-type: none"> <li>Email dated 24/04/2007 11:50 AM from David Leyonhjelm, Secretary-Treasurer, LDP to Shawn O'Brien, AEC re <i>receipt of application for party registration</i>;</li> <li>Email dated 5/03/2007 5:07 PM from Shawn O'Brien, AEC to David Leyonhjelm, Secretary-Treasurer, LDP re <i>receipt of application for party registration</i></li> </ul> <p>Folios 97-99 of file 2007/384</p>		<p>containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 29 from which the conditionally exempt material is redacted;</p> <p>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(g) <b>decide to refuse access to</b> Document No. 29 and <b>offer in lieu access to an edited copy</b> of Document No. 29 from which the private email address of Senator Leyonhjelm is redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 29 and <b>offer in lieu access to an edited copy</b> of Document No. 29 from which the private email address of Senator Leyonhjelm is redacted.</p>
30	<p>Envelope of covering envelope to Document No. 18 endorsed with a manuscript annotation and a sticker giving RTS advice from Australia Post</p> <p>Folio 100 of file 2007/384</p>	08/05/2007	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 30 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information; and</p> <p>(c) <b>decide to refuse access to</b> Document No. 30 and <b>offer in lieu</b></p>

			<p><b>access to an edited copy</b> of Document No. 30 from which the name and contact details of the LDP member is redacted.</p> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 30 and <b>offer in lieu access to an edited copy</b> of Document No. 30 from which the name and contact details of the LDP member is redacted.</li> </ul>
31	<p>Envelope of covering envelope to Document No. 20 endorsed with sticker giving RTS advice from Australia Post</p> <p>Folio 101 of file 2007/384</p>	<p>07/05/2007 Document No. 31</p>	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 31 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information; and</li> <li>(c) <b>decide to refuse access to</b> Document No. 31 and <b>offer in lieu access to an edited copy</b> of Document No. 31 from which the name and contact details of the LDP member is redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 31 and <b>offer in lieu access to an edited copy</b> of Document No. 31 from</li> </ul>

			which the name and contact details of the LDP member is redacted.
32	<p>Receipt from 1 [REDACTED] Federal President of LDP for return of party's membership forms</p> <p>Folio 102 of file 2007/384</p>	11/05/2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 32 contains irrelevant material;</li> <li>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 32 from which the irrelevant material is redacted;</li> <li>(c) <b>find</b> that it is possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</li> <li>(d) <b>decide to refuse access to</b> Document No. 32 and <b>offer in lieu access to an edited copy</b> of Document No. 32 from which the irrelevant material is redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 32 and <b>offer in lieu access to an edited copy</b> of Document No. 32 from which the irrelevant material is redacted.</li> </ul>
33	<p>Legal advice from Marlowe Thompson, AEC Lawyer re application by LDP</p> <p>Folios 103-106 of file 2007/384</p>	16/05/2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 33 would be privileged from production in legal proceedings on the ground of legal professional privilege;</li> <li>(b) <b>find</b> that the AEC has not waived the legal professional privilege</li> </ul>

			<p>accruing to Document No. 33; and</p> <p>(c) <b>decide to refuse access</b> to Document No. 33</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to refuse access</b> to Document No. 33.</p>
34	<p>Email from Kevin Bodel AEC Director Funding and Disclosure to Shawn O'Brien re re <i>FW: Liberal Democratic Party</i> with thread including:</p> <ul style="list-style-type: none"> <li>Email dated 2/05/2007 04:48 PM from Marlow Thompson, AEC Lawyer to Kevin Bodel re <i>Liberal Democratic Party</i></li> </ul> <p>Folios 107-108 of file 2007/384</p>	16/5/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 34 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that although Document No. 34 is correspondence between a solicitor and client, legal professional privilege does not accrue because it is formal correspondence that does not contain a privileged communication;</p> <p>(d) <b>find</b> that release of Document No. 34 does not waive the privilege accruing to Document No. 34 which is attached to it: see <i>Commonwealth of Australia v Dutton</i>.</p> <p>(e) <b>decide</b> to give access in full to Document No. 34.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons explained in the letter; and</p> <p>(b) <b>decided to give access</b> to Document No. 34.</p>



35	<p>Email Warren Kelly, AEC to Shawn O'Brien, AEC re <i>Fw: verification of LDP party membership 07/384-41</i> with thread including:</p> <ul style="list-style-type: none"> <li>Email dated 7/05/2014 01:43 PM from Damian Thorley to Shawn O'Brien, AEC re <i>verification of LDP party membership 07/384-41</i></li> </ul> <p>Folio 109 of file 2007/384</p>	07/05/2007 1:53 PM	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 35 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> <li>(c) <b>find</b> that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</li> <li>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 35 from which the conditionally exempt material is redacted;</li> <li>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</li> <li>(f) <b>decide to refuse access to</b> Document No. 35 and <b>offer in lieu access to an edited copy</b> of Document No. 35 from which the names and contact details of LDP members are redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings recommended for the reasons given in the letter;</b> and</li> <li>(b) <b>decided to refuse access to</b> Document No. 35 and <b>offer in lieu access to an edited copy</b> of Document No. 35 from which the names and contact details of LDP members are redacted.</li> </ul>
36	AEC Minute from Shawn	02/04/2007	

	<p>O'Brien to acting Deputy Electoral Commissioner (DEC) recommending an acknowledgment to a letter from Chris Bowen MP Federal Member for Prospect</p> <ul style="list-style-type: none"> <li>Clearance record</li> </ul> <p>Folios 110-112 of file 2007/384</p>		<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that the entirety of Document No. 36 contains irrelevant material;</li> <li>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 36 from which the irrelevant material is redacted;</li> <li>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</li> <li>(d) <b>decide to refuse access to</b> Document No. 36.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings recommended for the reasons given in the letter;</b> and</li> <li>(b) <b>decided to refuse access to</b> Document No. 36.</li> </ul>
37	<p>Letter to Chris Bowen MP Federal Member for Prospect signed by the acting DEC Tim Pickering</p> <p>Folio 113 of file 2007/384</p>	03/04/2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that the entirety of Document No. 37 contains irrelevant material;</li> <li>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 37 from which the irrelevant material is redacted;</li> <li>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</li> <li>(d) <b>decide to refuse access to</b> Document No. 37.</li> </ul>

			<hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 37.</li> </ul>
38	<p>Note for file of LDP's promise to return the membership form of <b>1</b> along with advice of how he joined the party.</p> <p>Folio 114 of file 2007/384</p>	23.05.2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 38 contains irrelevant material;</li> <li>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 38 from which the irrelevant material is redacted;</li> <li>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</li> <li>(d) <b>decide to refuse access to</b> Document No. 38.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 38.</li> </ul>
39	<p>letter from Chris Bowen MP Federal Member for Prospect to Ian Campbell Electoral Commissioner about an LDP letter received by <b>1</b></p> <p>Folio 115-119 of file 2007/384</p>	26/03/2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that the entirety of Document No. 39 contains irrelevant material;</li> <li>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if</li> </ul>

			<p>access is given to an edited version of Document No. 39 from which the irrelevant material is redacted;</p> <p>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</p> <p>(d) <b>decide to refuse access to</b> Document No. 39.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 39.</p>
40	<p>Clearance record from Shawn O'Brien AEC to Ian Campbell Electoral Commissioner (EC) recommending he sign a reply to Mr Bowen MP</p> <p>Folio 119 of file 2007/384</p>	30/05/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that the entirety of Document No. 40 contains irrelevant material;</p> <p>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 40 from which the irrelevant material is redacted;</p> <p>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</p> <p>(d) <b>decide to refuse access to</b> Document No. 40.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 40.</p>

41	Letter from Ian Campbell EC to Chris Bowen MP with attachment  Folios 120-121 of file 2007/384	05/06/2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that the entirety of Document No. 41 contains irrelevant material;</li> <li>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 41 from which the irrelevant material is redacted;</li> <li>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</li> <li>(d) <b>decide to refuse access to</b> Document No. 41.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 41.</li> </ul>
42	Statement of Reasons from the ACT Electoral Commissioner for decision in relation to section 89 of the Electoral Act 1992 (ACT) to register the LDP  Folios 122-128 of file 2007/384	31/08/2001	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 42 contains no exempt material;</li> <li>(b) <b>find</b> that Document No. 42 contains personal information to which section 47F of the FOI Act applies;</li> <li>(c) <b>find</b> that Document No. 42 was formerly published on the website of Elections ACT at <a href="http://www.elections.act.gov.au/PartyRevSt.htm">http://www.elections.act.gov.au/PartyRevSt.htm</a>;</li> <li>(d) <b>find</b> that it is reasonable to give access to the names of individuals objecting and responding to objections to the registration of the LDP under section 89 of the <i>Electoral Act</i></li> </ul>

			<p>1992 (ACT) identified in Document No. 42;</p> <p>(e) <b>find</b> that it is reasonable to give access to the name and contact details of the ACT official identified in Document No. 42; and</p> <p>(f) <b>grant access</b> to Document No. 42.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to grant access</b> to Document No. 42.</p>
43	<p>Legal advice from Marlowe Thompson, AEC Lawyer, about the application for registration of a political party – Liberal Democratic Party – LDP</p> <p>Folios 129-32 of file 2007/384</p>	17/05/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 43 would be privileged from production in legal proceedings on the ground of legal professional privilege;</p> <p>(b) <b>find</b> that the AEC has not waived the legal professional privilege accruing to Document No. 43; and</p> <p>(c) <b>decide</b> to refuse access to Document No. 43.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided</b> to refuse access to Document No. 43.</p>
44	<p>Extracts from the Act relating to party registration</p> <p>Folios 133-138 of file 2007/384</p>	undated	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No.44 is published for reference on the Comlaw website at</p>

			<p><a href="http://www.comlaw.gov.au/Series/C1918A00027;">http://www.comlaw.gov.au/Series/C1918A00027;</a></p> <p>(b) <b>find</b> that Document No. 44 is out of scope of the class of document that may be requested under Part III of the FOI Act; and</p> <p>(c) <b>refuse</b> access to Document No. 44.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access</b> to Document No. 44.</p>
45	<p>Minute from Kevin Bodel AEC DFAD to Paul Dacey DEC recommending LDP be asked to vary their party name including:</p> <ul style="list-style-type: none"> <li>Approval dated 28/05/2007 by DEC</li> </ul> <p>Folios 139-144 of file 2007/384</p>	21/05/2007 (	<p>1 I recommend that you</p> <p>(a) <b>find</b> that Document No. 45 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</p> <p>(d) <b>find</b> that Document No. 45 contains material protected by legal professional privilege belonging to the AEC which privilege has not been waived;</p> <p>(e) <b>find</b> that Document No. 45 contains deliberative matter to which section 47C of the FOI Act applies and that, on balance, the public interest in preserving candour in deliberations outweighs the public interest in allowing access to the deliberative matter;</p> <p>(f) <b>find</b> that the objects of the Act in giving access to a document</p>



			<p>containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 45 from which the conditionally exempt material is redacted;</p> <p>(g) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 45 from which the conditionally exempt material is redacted;</p> <p>(h) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(i) <b>decide</b> to refuse access to Document No. 45 and <b>offer in lieu access</b> to an edited copy of Document No. 45 from which the names and contact details of LDP members and material subject to legal professional privilege and deliberative material are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access</b> to Document No. 45 and <b>offer in lieu access</b> to an edited copy of Document No. 45 from which the names and contact details of LDP members and material subject to legal professional privilege and deliberative material are redacted.</p>
46	<p>clearance record from Shawn O'Brien to DEC re Document No. 45.</p> <p>Folio 145 of file 2007/384</p>	17/05/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 46 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p>

			<p>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's manuscript initialling and that on balance protecting risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's initialling;</p> <p>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 46 from which the conditionally exempt material is redacted;</p> <p>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(f) <b>decide to refuse access to</b> Document No. 46 and <b>offer in lieu access to an edited copy</b> of Document No. 46 from which the names and contact details of LDP members are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 46 and <b>offer in lieu access to an edited copy</b> of Document No. 46 from which the facsimiles of individuals' Initialing are redacted.</p>
47	<p>Clearance record from Shawn O'Brien to FAC Electoral Operations re Document No. 48</p> <p>Folio 146 of file 2007/384</p>	06/07/2007	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 47 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's manuscript initialling and that on balance protecting risk of identity theft outweighs the public interest in giving access</p>

			<p>to a facsimile of an individual's initialling;</p> <p>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 47 from which the conditionally exempt material is redacted;</p> <p>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(f) <b>decide to refuse access to</b> Document No. 47 and <b>offer in lieu access to an edited copy</b> of Document No. 47 from which the names and contact details of LDP members are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 47 and <b>offer in lieu access to an edited copy</b> of Document No. 47 from which the facsimiles of individuals' Initialing are redacted.</p>
48	<p>Letter from Paul Dacey DEC to David Leyonhjelm LDP re Notice under s.131 of the Electoral Act</p> <p>Folios 147-150 of file 2007/384</p>	08/06/2007	<p>1 I recommend that you</p> <p>(a) <b>find</b> that Document No. 48 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to the facsimile of an individual's signature;</p> <p>(d) <b>find</b> that it is unreasonable to give access to the address of Senator Leyonhjelm and that on balance protecting the safety of a silent elector outweighs the public interest in giving access to</p>

			<p>that information; and</p> <p>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 48 from which the conditionally exempt material is redacted;</p> <p>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(g) <b>decide to refuse access to</b> Document No. 48 and <b>offer in lieu access to an edited copy</b> of Document No. 48 from which the names and contact details of LDP members are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 48 and <b>offer in lieu access to an edited copy</b> of Document No. 48 from which the facsimile of an individual's signature and the residential address of Senator Leyonhjelm are redacted.</p>
49	<p>Minute from Shawn O'Brien, DFAD to Marlowe Thompson, AEC requesting legal advice</p> <p>Folio 151-152 of file 2007/384</p>	02/07/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 49 would be privileged from production in legal proceedings on the ground of legal professional privilege;</p> <p>(b) <b>find</b> that the AEC has not waived the legal professional privilege accruing to Document No. 49; and</p> <p>(c) <b>decide to refuse access</b> to Document No. 49.</p> <hr/> <p>I have:</p>

			<p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access</b> to Document No. 49.</p>
50	<p>Letter from David Leyonhjelm, Secretary LDP to The Commissioner, AEC re application for registration of LDP with attachments:</p> <ul style="list-style-type: none"> <li>• Fax pages showing signature to application for registration;</li> <li>• Email dated 25/06/2007 9:01:29 AM from 1 [REDACTED] to 1 [REDACTED]</li> <li>• Fax page showing signature to application for registration</li> </ul> <p>Folios 153-163 of file 2007/384</p>	20/06/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 50 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to names of members of the LDP (other than the Secretary-Treasurer, Registered Officer and Party Agent);</p> <p>(c) <b>find</b> that the risk of identity theft makes it unreasonable to give access to a facsimile of an individual's signature;</p> <p>(d) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to addresses of members of the LDP (other than the Secretary-Treasurer, Registered Officer and Party Agent);</p> <p>(e) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to the telephone number of Senator Leyonhjelm;</p> <p>(f) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 50 from which the facsimile of the individual's signature is redacted;</p> <p>(g) <b>find</b> that, on balance, the factors favouring giving access in full to Document No. 50 are outweighed by the factors favouring it being contrary to the public interest to give such access, namely the harm to an individual that could arise from identity theft facilitated by access to a facsimile of the individual's signature;</p> <p>(h) <b>find</b> that it is possible to prepare a meaningful edited version</p>

			<p>from which the conditionally exempt material is redacted; and</p> <p>(i) <b>decide to refuse access to</b> Document No. 50 and <b>offer in lieu access to an edited copy</b> of Document No. 50 from which the facsimile of the conditionally exempt material is redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended above for the reasons given; and</p> <p>(b) decided to <b>refuse access to</b> Document No. 50 and <b>offer in lieu access to an edited copy</b> of Document No. 50 from which the conditionally exempt material is redacted.</p>
51	<p>Email from Shawn O'Brien AEC to Marlowe Thompson, AEC Lawyer requesting legal advice</p> <p>Folios 164-166 of file 2007/384</p>	02/07/2007 03:14 PM	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 51 would be privileged from production in legal proceedings on the ground of legal professional privilege;</p> <p>(b) <b>find</b> that the AEC has not waived the legal professional privilege accruing to Document No. 51; and</p> <p>(c) <b>decide to refuse access</b> to Document No. 51.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended for the reasons given in the letter;</b> and</p> <p>(b) <b>decided to refuse access</b> to Document No. 51.</p>
52	<p>Email from Shawn O'Brien AEC to 1 [REDACTED], LDP re for 1 [REDACTED]</p>	19/07/2007	



	<p>██████ – letter as promised</p> <ul style="list-style-type: none"> <li>Attachment Document No. 53.</li> </ul> <p>Folios 167-168 of file 2007/384</p>	03:22 PM	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 52 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</p> <p>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 52 from which the conditionally exempt material is redacted;</p> <p>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(f) <b>decide to refuse to give access in full</b> to Document No. 52 and <b>offer in lieu access to an edited copy</b> of Document No. 52 from which the name of the LDP member is redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>offer in lieu access to an edited copy</b> of Document No. 52 from which the name of the LDP member is redacted.</p>
53	Letter from Kevin Bodel, Director, Funding and Disclosure to Mr D Leyonhjelm, Proposed Registered Officer, LDP re <i>Application to</i>	19/07/2007	<p>1 I recommend that you:</p> <p>(a) <b>find</b> that Document No. 53 contains personal information to</p>



	<p><i>register the Liberal Democratic Party</i></p> <p>Folios 167-168 of file 2007/384</p>		<p>which section 47F of the FOI Act applies;</p> <ul style="list-style-type: none"> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> <li>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's initialling;</li> <li>(d) find that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</li> <li>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 53 from which the conditionally exempt material is redacted;</li> <li>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</li> <li>(g) <b>decide to refuse access to</b> Document No. 53 and <b>offer in lieu access to an edited copy</b> of Document No. 53 from which the facsimile of a signature and the name of the LDP members are redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 53 and <b>offer in lieu access to an edited copy</b> of Document No. 53 from which the facsimile of a signature and the name of the LDP</li> </ul>
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			members are redacted.
54	<p>Letter from David Leyonhjelm, Secretary LDP to The Commissioner, AEC re application for registration of LDP with attachments:</p> <ul style="list-style-type: none"> <li>• Fax pages showing signature to application for registration;</li> <li>• Email dated 20/07/ 2001 11:32:51 AM from 1 [REDACTED] to 1 [REDACTED]; and</li> <li>• Fax pages showing signature to application for registration</li> </ul> <p>Folios 169-176 of file 2007/384</p>	19/07/2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 54 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to names of members of the LDP (other than the secretary and party agent);</li> <li>(c) <b>find</b> that the risk of identity theft makes it unreasonable to give access to a facsimile of an individual's signature;</li> <li>(d) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to addresses of members of the LDP (other than the Secretary-Treasurer, Registered Officer and Party Agent);</li> <li>(e) <b>find</b> that the risk of harm or harassment makes it unreasonable to give access to the telephone number of Senator Leyonhjelm;</li> <li>(f) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 54 from which the conditionally exempt material is redacted;</li> <li>(g) <b>find</b> that, on balance, the factors favouring giving access in full to Document No. 54 are outweighed by the factors favouring it being contrary to the public interest to give such access, namely the harm to an individual that could arise from identity theft facilitated by access to a facsimile of the individual's signature;</li> <li>(h) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</li> <li>(i) <b>decide to refuse access to</b> Document No. 54 and <b>offer in lieu access to an edited copy</b> of Document No. 54 from which the facsimile of the individual's signature is redacted.</li> </ul>

			<hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended above for the reasons given; and</li> <li>(b) decided to <b>refuse access to</b> Document No. 54 and <b>offer in lieu access to an edited copy</b> of Document No. 54 from which the conditionally exempt material is redacted.</li> </ul>
55	<p>Note that folios 177-78 were removed and placed on the DLP file 2004/2011</p> <p>Folios 177-178 of file 2007/384</p>	01/08/2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that the entirety of Document No. 55 contains irrelevant material;</li> <li>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 55 from which the irrelevant material is redacted;</li> <li>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</li> <li>(d) <b>decide to refuse access to</b> Document No. 55.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 55.</li> </ul>
56	unsigned letter Shawn O'Brien AEC to David Leyonhjelm LDP advising that LDP application will	31/07/2007	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 56 contains personal information to</li> </ul>

	be advertised for public objection Folio 179 of file 2007/384		<p>which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to the address of Senator Leyonhjelm and that on balance protecting the safety of a silent elector outweighs the public interest in giving access to that information; and</p> <p>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 56 from which the conditionally exempt material is redacted;</p> <p>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(f) <b>decide to refuse access to</b> Document No. 56 and <b>offer in lieu access to an edited copy</b> of Document No. 56 from which the residential address of Senator Leyonhjelm is redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 56 and <b>offer in lieu access to an edited copy</b> of Document No. 56 from which the residential address of Senator Leyonhjelm is redacted.</p>
57	Letter from David Leyonhjelm, Secretary LDP to The Commissioner, AEC re application for registration of LDP with attachments:	19/07/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 57 is a copy of Document No. 54</p> <p>(b) <b>subsume your decision about access</b> to Document No. 57</p>

	<ul style="list-style-type: none"> <li>Fax pages showing signature to application for registration;</li> <li>Email dated 20/07/ 2001 11:32:51 AM from 1 [REDACTED] to 1 [REDACTED]; and</li> <li>Fax pages showing signature to application for registration</li> </ul> <p>Copy of Document No. 54 tabbed C</p> <p>Folios 180-86 of file 2007/384</p>		<p>in your decision about access to Document No. 54.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 57 in my decision about access to Document No. 54.</p>
58	<p>Letter from Paul Dacey DEC to David Leyonhjelm LDP, notice under s.131 of the Act asking whether LDP would be prepared to change its name.</p> <p>Without attachments</p> <p>Copy of part of Document 48 tabbed B</p> <p>Folios 187-188 of file 2007/384</p>	08/06/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 58 is a copy of Document No. 48.</p> <p>(b) <b>subsume your decision about access</b> to Document No. 58 in your decision about access to Document No. 48.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 58 in my decision about access to Document No. 48.</p>
59	<p>Application for registration of a political party</p> <ul style="list-style-type: none"> <li>Statutory declaration from David Leyonhjelm LDP</li> </ul>	21/02/2007	<p>1 I <b>recommend</b> that you:</p>

	<p>secretary annexing membership forms from 1356 party members</p> <p>Copy of Document Nos 5 &amp; 6 tabbed A</p> <p>Folios 189-191 of file 2007/384</p>		<p>2 <b>find</b> that Document No. 59 is a copy of Document Nos. 5 and 6.</p> <p>3 <b>subsume your decision about access</b> to Document No. 59 in your decision about access to Document Nos. 5 and 6.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended for the reasons given in the letter</b>; and</p> <p>(b) decided to <b>subsume</b> my decision about access to Document No. 59 in my decision about access to Document Nos. 5 and 6.</p>
60	<p>Minute from Kevin Bodel DFAD to Paul Dacey DEC re <i>New Party Registration – Liberty and Democracy Party</i>.</p> <ul style="list-style-type: none"> <li>Decision notation dated 31/07/2007</li> </ul> <p>Folios 192-195 of file 2007/384</p>	31/07/2007	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 60 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</p> <p>(d) find that Document No. 60 contains deliberative matter and that, on balance, the public interest in preserving candour in deliberations outweighs the public interest in allowing access to the deliberative matter;</p> <p>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document</p>



			<p>No. 60 from which the conditionally exempt material is redacted;</p> <p>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(g) <b>decide to refuse access to</b> Document No. 60 and <b>offer in lieu access to an edited copy</b> of Document No. 60 from which the names and contact details of LDP members are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended for the reasons given in the letter;</b> and</p> <p>(b) <b>decided to refuse access to</b> Document No. 60 and <b>offer in lieu access to an edited copy</b> of Document No. 60 from which the names and contact details of LDP members and deliberative material are redacted.</p>
61	<p>Clearance record from Catherine Hodge AEC to DEC re Document No. 60</p> <p>Folio 196 of file 2007/384</p>	26/07/2007	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 61 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to a facsimile of manuscript initialling by an individual and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile an individual's initialling;</p> <p>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document</p>



			<p>No. 61 from which the conditionally exempt material is redacted;</p> <p>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(f) <b>decide to refuse access to</b> Document No. 61 and <b>offer in lieu access to an edited copy</b> of Document No. 61 from which the manuscript initialling by individuals are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended for the reasons given in the letter;</b> and</p> <p>(b) <b>decided to refuse access to</b> Document No. 61 and <b>offer in lieu access to an edited copy</b> of Document No. 61 from which the names and contact details of LDP members are redacted.</p>
62	<p>Email from Shawn O'Brien AEC to 1 [REDACTED], LDP re FW: for 1 [REDACTED] – letter as promised with thread including:</p> <ul style="list-style-type: none"> <li>Email dated 19/07/2007 03:24 PM from Shawn O'Brien, AEC to <a href="mailto:info@ldp.org.au">info@ldp.org.au</a> re for 1 [REDACTED] – letter as promised</li> </ul> <p>Folio 197 of file 2007/384</p>	31/07/2007 02:34 PM	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 62 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to the name and contact details of a member of the LDP and that on balance protecting the privacy of an individual's political affiliations outweighs the public interest in giving access to that information;</p> <p>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 62 from which the conditionally exempt material is redacted;</p>

			<p>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(f) <b>decide to refuse access to</b> Document No. 62 and <b>offer in lieu access to an edited copy</b> of Document No. 62 from which the names and contact details of LDP members are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended for the reasons given in the letter;</b> and</p> <p>(b) <b>decided to refuse access to</b> Document No. 62 and <b>offer in lieu access to an edited copy</b> of Document No. 62 from which the names and contact details of LDP members are redacted.</p>
63	<p>Letter from Shawn O'Brien, AEC to David Leyonhjelm, Secretary LDP re <i>Confirmation of Registration as a Political Party – "Liberty And Democracy Party" – Abbreviation "LDP"</i></p> <p>Folio 198 of file 2007/384</p>	31/07/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 63 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of that signature;</p> <p>(d) find that it is reasonable to give access to the name and official address of the Secretary-Treasurer of the LDP;</p> <p>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document</p>

			<p>No. 63 from which the conditionally exempt material is redacted;</p> <p>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(g) <b>decide to refuse access to</b> Document No. 63 and <b>offer in lieu access to an edited copy</b> of Document No. 63 from which the facsimile of the signature of an individual is redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 63 and <b>offer in lieu access to an edited copy</b> of Document No. 63 from which the facsimile of the signature of an individual is redacted.</p>
64	<p>Email from Shawn O'Brien AEC to <a href="mailto:elections@act.gov.au">elections@act.gov.au</a> re the 1 <b>[REDACTED]</b> party</p> <p>Folio 199 of file 2007/384</p>	<p>10/08/2007</p> <p>Document No. 64</p>	<p>1 Document No. 64 does not contain exempt or conditionally exempt material, however it contains irrelevant material, namely correspondence with the Elections ACT subsequent to the finalisation of the application for registration of the LDP.</p> <p>2 The entirety of Document No. 64 is irrelevant to the FOI Application.</p> <p>3 You are required to consider the application to Document No. 64 of section 22 of the FOI Act which provides for access being given to edited copies of documents with exempt or irrelevant matter deleted.</p> <p>4 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that the entirety of Document No. 64 contains irrelevant material;</p> <p>(b) <b>find</b> that the objects of the Act in giving access to a document</p>

			<p>containing irrelevant material cannot be substantially achieved if access is given to an edited version of Document No. 84 from which the irrelevant material is redacted;</p> <p>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</p> <p>(d) <b>decide to refuse access</b> to Document No. 64.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access</b> to Document No. 64.</p>
65	<p>Copy of letter from Phillip Green ACT EC advising that the ACT already has a party registered with the abbreviation LDP</p> <p>Folio 200 of file 2007/384</p>	03/08/2007	<p>1 I <b>recommend</b> that you;</p> <p>(a) <b>find</b> that Document No. 65 is a copy of Document No. 66; and</p> <p>(b) <b>subsume</b> your decision about access to Document No. 65 in your decision about access to Document No. 66.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 65 in my decision about access to Document No. 66.</p>
66	<p>Letter from Phillip Green ACT EC advising that the ACT already has a party registered with the abbreviation LDP</p>	03/08/2007	<p>I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 66 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and</p>

	Folio 201 of file 2007/384		<p>contact details of a public official, namely Electoral Commissioner for the Australian Capital Territory;</p> <p>(c) <b>find</b> that the risk of identity theft makes it unreasonable to give access to a facsimile of an individual's signature or manuscript initialling;</p> <p>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 66 from which the facsimile of the individual's signature is redacted;</p> <p>(e) <b>find</b> that, on balance, the factors favouring giving access in full to Document No. 66 are outweighed by the factors favouring it being contrary to the public interest to give such access, namely the harm to an individual that could arise from identity theft facilitated by access to a facsimile of the individual's signature;</p> <p>(f) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 66 from which the conditionally exempt material is redacted;</p> <p>(g) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(h) <b>decide to refuse access to</b> Document No. 66 and <b>offer in lieu access to an edited copy</b> of Document No. 66 from which the facsimile of the individual's signature or manuscript initialling is redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended above for the reasons given; and</p>
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			(b) decided to <b>refuse access to</b> Document No. 66 and <b>offer in lieu access to an edited copy</b> of Document No. 66 from which the facsimile of the individual's signature or manuscript initialing is redacted.
67	Draft letter from Paul Dacey, DEC to Phillip Green, Electoral Commissioner of the Australian Capital Territory re application for registration of LDP, tabbed J  Folio 203 of file 2007/384	undated	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 67 is the draft that gave rise to Document No. 87.</p> <p>(b) <b>subsume your decision about access</b> to Document No. 67 in your decision about access to Document No. 87.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 67 in my decision about access to Document No. 87.</p>
68	Draft letter from Paul Dacey, DEC to David Leyonhjelm, Proposed Registered Officer LDP re <i>Approval for Party Registration</i> , tabbed I  Folios 204-206 of file 2007/384	undated	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 68 is the draft that gave rise to Document No. 86.</p> <p>(b) <b>subsume your decision about access</b> to Document No. 68 in your decision about access to Document No. 86.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in</p>

			<p>the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 68 in my decision about access to Document No. 86.</p>
69	<p>Draft Party registration decision: Liberty and Democracy Party, tabbed H</p> <p>Folios 207-211 of file 2007/384</p>	undated	<p>1 I recommend that you:</p> <p>(a) <b>find</b> that Document No. 69 is the draft that gave rise to Document No. 79; and</p> <p>(b) <b>subsume</b> your decision about access to Document No. 69 in your decision about access to Document No. 79.</p> <hr/> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) I have <b>decided to subsume</b> my decision about access to Document No. 69 in my decision about access to of Document No. 79.</p>
70	<p>Draft entry in the Register of Political Parties for LDP, tabbed G</p> <p>Folio 212 of file 2007/384</p>	undated	<p>1 I recommend that you:</p> <p>(a) <b>find</b> that Document No. 70 is the draft that gave rise to Document No. 91.</p> <p>(b) <b>subsume your decision about access</b> to Document No. 70 in your decision about access to Document No. 91.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document</p>



			No. 70 in my decision about access to Document No. 91.
71	Letter from Phillip Green ACT EC advising that the ACT already has a party registered with the abbreviation LDP, tabbed F  Folio 213 of file 2007/384	03/08/2007	<p>1 I recommend that you:</p> <p>(a) <b>find</b> that Document No. 71 is a copy of Document No. 66;</p> <p>(b) <b>subsume</b> your decision about access to Document No. 71 in your decision about access to Document No. 66.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 71 in my decision about access to Document No. 66.</p>
72	Minute from Kevin Bodel DFAD to Paul Dacey DEC recommending advertisement of LDP application for public objection.  • Decision notation dated 31/07/2007,  tabbed E  Folio 214-217 of file 2007/384	31.07.2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 72 is a copy of Document No. 60.</p> <p>(b) <b>subsume</b> your decision about access to Document No. 72 in your decision about access to Document No. 60.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 72 in my decision about access to Document No. 60.</p>
73	Letter from David Leyonhjelm, Secretary LDP to The	19.07.2007	

	<p>Commissioner, AEC re application for registration of LDP, tabbed D</p> <p>Folio 218 of file 2007/384</p>		<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 73 is a copy of the first page of Document No. 54; and</p> <p>(b) <b>subsume</b> your decision about access to Document No. 73 in your decision about access to Document No. 54.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 73 in my decision about access to Document No. 54.</p>
74	<p>Minute from Kevin Bodel AEC DFAD to Paul Dacey DEC recommending LDP be asked to vary their party name including:</p> <ul style="list-style-type: none"> <li>Approval dated 28/05/2007 by DEC</li> <li>Letter from Paul Dacey DEC to David Leyonhjelm LDP, notice under s.131 of the Act asking whether LDP would be prepared to change its name,</li> </ul> <p>tabbed C</p> <p>Folios 219-228 of file 2007/384</p>	21.05.2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 74 is a copy of the first page of Document Nos. 54 and a copy of Document 48</p> <p>(b) <b>subsume</b> your decision about access to Document No. 74 in your decision about access to Document Nos. 54 and 48.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 74 in my decision about access to Document Nos. 54 and 48 respectively.</p>

75	<p>Application for registration of a political party.</p> <ul style="list-style-type: none"> <li>Statutory declaration from David Leyonhjelm LDP secretary annexing membership forms from 1356 party members,</li> </ul> <p>tabbed B</p> <p>Folios 228-230 of file 2007/384</p>	21.02.2007	<p>1 I recommend that you:</p> <p>(a) <b>find</b> that Document No. 75 is a copy of Document Nos. 5 and 6.</p> <p>(b) <b>subsume</b> your decision about access to Document No. 75 in your decision about access to Document Nos. 5 and 6.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 75 in my decision about access to Document Nos. 5 and 6.</p>
76	<p>Extracts from the Electoral Act relevant to party registration, tabbed A</p> <p>Folios 231-233 of file 2007/384</p>	undated	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 76 is out of scope of the class of document that may be requested under Part III of the FOI Act; and</p> <p>(b) <b>refuse</b> access to Document No. 76.</p> <hr/> <p>I have:</p> <p>(a) made the findings recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access</b> to Document No. 76.</p>
77	<p>Minute from Kevin Bodel DFAD to Paul Dacey DEC recommending a decision on the application for</p>	07/09/2007	<p>1 I <b>recommend</b> that you:</p>

	<p>registration of LDP</p> <ul style="list-style-type: none"> <li>Decision notation dated 7/09/2007</li> </ul> <p>Folios 234-237 of file 2007/384</p>		<p>(a) <b>find</b> that Document No. 77 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that Document No. 77 contains deliberative matter and that, on balance, the public interest in preserving candour in deliberations outweighs the public interest in allowing access to the deliberative matter;</p> <p>(d) <b>find</b> that it is not possible to prepare a meaningful edited version from which the deliberative matter is redacted; and</p> <p>(e) <b>decide to refuse access to</b> Document No. 77.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 77.</p>
78	<p>Clearance record from Catherine Hodge AEC to DEC re Document No. 77</p> <p>Folio 238 of file 2007/384</p>	03.09.2007	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that Document No. 78 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to a facsimile of manuscript initialling by an individual and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile an individual's initialling;</p> <p>(d) <b>find</b> that the objects of the Act in giving access to a document</p>

			<p>containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 78 from which the conditionally exempt material is redacted;</p> <p>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(f) <b>decide to refuse access to</b> Document No. 78 and <b>offer in lieu access to an edited copy</b> of Document No. 78 from which the manuscript initialling by individuals are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made</b> the findings recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 78 and <b>offer in lieu access to an edited copy</b> of Document No. 78 from which the names and contact details of LDP members are redacted.</p>
79	<p>Party registration decision: Liberty and Democracy Party</p> <p>Folios 79 of file 2007/384</p>	07/09/2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 79 is out of scope of the class of document that may be requested under Part III of the FOI Act; and</p> <p>(b) <b>refuse</b> access to Document No. 79.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended above for the reasons given; and</p> <p>(b) <b>decided to refuse access</b> to Document No. 79.</p>

80	Draft Gazette notice of the registration of the LDP Folio 239 of file 2007/384	07.09.2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 80 is the draft that gave rise to Document No. 83; and</p> <p>(b) <b>subsume</b> your decision about access to Document No. 80 in your decision about access to Document No. 83.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended above for the reasons given; and</p> <p>(b) <b>subsume</b> my decision about access to Document No. 80 in my decision about access to Document No. 83.</p>
81	Email from Song Woon Kon, AEC to Gazettes@ag.gov.au re <i>Register of Political Parties</i> Folio 240 of file 2007/384	10.09.2007 01:05 PM	<p>1 I <b>recommend</b> that you</p> <p>(a) <b>find</b> that it is reasonable to give access to the details of Commonwealth officials;</p> <p>(b) <b>find</b> that Document No. 81 contains business information to which section 47G of the FOI Act applies;</p> <p>(c) <b>find</b> that it is unreasonable to give access to the AEC's account details for publishing <i>Commonwealth Gazette</i> and that on balance protecting the integrity of the system for issuing <i>Commonwealth Gazette</i> notices outweighs the public interest in giving access to that information;</p> <p>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 81 from which the business information is redacted;</p> <p>(e) <b>find</b> that it is possible to prepare a meaningful edited version</p>

			<p>from which the business information is redacted; and</p> <p>(f) <b>decide to refuse access to</b> Document No. 81 and <b>offer in lieu access to an edited copy</b> of Document No. 81 from which the business information is redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 81 and <b>offer in lieu access to an edited copy</b> of Document No. 81 from which the business information is redacted.</p>
82	<p>Email from Karen Imms,  Gazette Officer Attorney-  General's Department to Song  Woon Kon, AEC re <i>Register of  Political Parties</i></p> <p>Folio 241 of file 2007/384</p>	<p>11.09.2007  10:20 AM</p>	<p>1 Document No. 82 contains no exempt material but does contain conditionally exempt information, namely personal information being the:</p> <p>(a) name of an AEC official;</p> <p>(b) telephone number of an AEC Official</p> <p>(c) email address of an AEC official</p> <p>(d) name of an another Commonwealth official; and</p> <p>(e) email address of another Commonwealth official.</p> <p>2 Section 47F of the FOI Act applies to Document No. 82 with the consequence that you must decide whether it is reasonable to give access to the particular item of personal information.</p> <p><b>AEC Officials</b></p> <p>3 For the reasons given in relation to Document No. 12, I do not see any special circumstance existing that would require withholding of</p>



			<p>the names and contact details of AEC officials and other Commonwealth Officials.</p> <p>4 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that to Document No. 82 to which section 47F of the FOI Act applies;</p> <p>(b) find that it is reasonable to give access to the name and contact details of AEC officials and ACT officials; and</p> <p>(c) <b>decide to give access</b> to Document No. 82.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended for the reasons given in the letter; and</p> <p>(b) <b>decided to give access</b> to Document No. 82.</p>
83	<p>Copy of Special Gazette S176</p> <p>Folio 242 of file 2007/384</p>	11.09.2007	<p>1 Document No. 83 is published for reference on the Comlaw website</p> <p>2 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 83 is out of scope of the class of document that may be requested under Part III of the FOI Act; and</p> <p>(b) <b>refuse</b> access to Document No. 83.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended above for the reasons given in my letter; and</p>

			(b) <b>decided to refuse access</b> to Document No. 83
84	Email from Song Woon Kon, AEC to Webmaster, AEC re <i>Register of Political Parties</i> Folios 243-244 of file 2007/384	10.09.2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 84 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> <li>(c) <b>find</b> that Document No. 84 contains irrelevant material;</li> <li>(d) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 84 from which the irrelevant material is redacted;</li> <li>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</li> <li>(f) <b>decide to refuse access to</b> Document No. 84 and <b>offer in lieu access to an edited copy</b> of Document No. 84 from which the irrelevant material and conditionally exempt material is redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended above for the reasons given in my letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 84 and <b>offer in lieu access to an edited copy</b> of Document No. 84 from which the irrelevant material and conditionally exempt material is redacted.</li> </ul>
85	Clearance record Song Woon Kon AEC to Paul Dacey DEC re	10.09.2007 01:23 PM	<p>1 I <b>recommend</b> that you:</p>

	Document No. 86 Folio 245 of file 2007/384		<p>(a) <b>find</b> that Document No. 85 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to a facsimile of manuscript initialling by an individual and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of an individual's initialling;</p> <p>(d) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 85 from which the conditionally exempt material is redacted;</p> <p>(e) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(f) <b>decide to refuse access to</b> Document No. 85 and <b>offer in lieu access to an edited copy</b> of Document No. 85 from which the facsimiles of the signature and manuscript initialling by individuals are redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended above for the reasons given in my letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 85 and <b>offer in lieu access to an edited copy</b> of Document No. 85 from which the facsimiles of the signature and manuscript initialing by individuals are redacted.</p>
86	Letter from Paul Dacey, DEC to David Leyonhjelm, Proposed	11.09.2007	1 I <b>recommend</b> that you:

	<p>Registered Officer LDP re <i>Approval for Party Registration</i></p> <p>Folios 246-252 of file 2007/384</p>	<p>(a) <b>find</b> that Document No. 86 contains personal information to which section 47F of the FOI Act applies;</p> <p>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</p> <p>(c) <b>find</b> that it is unreasonable to give access to a facsimile of an individual's signature and that on balance protecting an individual against the risk of identity theft outweighs the public interest in giving access to a facsimile of that signature;</p> <p>(d) find that it is reasonable to give access to the name and official address of the Secretary-Treasurer of the LDP;</p> <p>(e) <b>find</b> that the objects of the Act in giving access to a document containing conditionally exempt material will be substantially achieved if access is given to an edited version of Document No. 86 from which the conditionally exempt material is redacted;</p> <p>(f) <b>find</b> that it is possible to prepare a meaningful edited version from which the conditionally exempt material is redacted; and</p> <p>(g) <b>decide to refuse access to</b> Document No. 86 and <b>offer in lieu access to an edited copy</b> of Document No. 86 from which the address and facsimile of the signature of an individual is redacted.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended above for the reasons given in my letter; and</p> <p>(b) <b>decided to refuse access to</b> Document No. 86 and <b>offer in lieu access to an edited copy</b> of Document No. 86 from which the address and facsimile of the signature of an individual is redacted.</p>
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87	<p>Letter from Paul Dacey, DEC to Phillip Green, Electoral Commissioner of the Australian Capital Territory re application for registration of LDP</p> <p>Folio 253 of file 2007/384</p>	11.09.2007	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 87 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is reasonable to give access to the name and contact details of an AEC official;</li> <li>(c) <b>find</b> that it is reasonable to give access to the name and contact details of an ACT official;</li> <li>(d) <b>find</b> that it is possible to prepare a meaningful edited version from which the deliberative matter is redacted; and</li> <li>(e) <b>decide to refuse access to</b> Document No. 87 and <b>offer in lieu access to an edited copy</b> of Document No. 87 from which the facsimile of the individual's signature is redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended above for the reasons given in my letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 87 and <b>offer in lieu access to an edited copy</b> of Document No. 87 from which the facsimile of the individual's signature is redacted.</li> </ul>
88	<p>Application to appoint a party agent in respect of the LDP</p> <p>Folio 254 of file 2007/384</p>	26.10.2007	<p>1 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 88 is an application made under section 288 of the Electoral Act for the purposes of Part XX of the Electoral Act (Election funding and financial disclosure) that is discrete from the application to register the LDP; and</li> <li>(b) <b>find</b> that the entirety of Document No. 88 is irrelevant to the FOI</li> </ul>

			<p>Request;</p> <p>(c) <b>decide to refuse access</b> to Document No. 88.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended above for the reasons given in my letter; and</p> <p>(b) <b>decided to refuse access</b> to Document No. 88.</p>
89	<p>Processing checklist re Document No. 88</p> <p>Folios 255-256 of file 2007/384</p>	29.10.2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 89 relates to the processing of the application made in Document No. 88;</p> <p>(b) <b>find</b> that the entirety of Document No. 89 is irrelevant to the FOI Request</p> <p>(c) <b>refuse access</b> to Document No. 89.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended above for the reasons given in my letter; and</p> <p>(b) <b>decided to refuse access</b> to Document No. 89.</p>
90	<p>Letter from Alan Page Asst Dir FAD to David Leyonhjelm re appointment as party agent for the LDP</p> <p>Folios 257-260 of file 2007/384</p>	29.10.2007	<p>1 I <b>recommend</b> that you:</p> <p>(a) <b>find</b> that Document No. 90 relates to the processing of the application made in Document No. 88</p> <p>(b) <b>find</b> that the entirety of Document No. 90 is irrelevant to the FOI Request; and</p>

			<p>(c) <b>refuse access</b> to Document No. 90.</p> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended above for the reasons given in my letter; and</li> <li>(b) <b>decided to refuse access</b> to Document No. 90.</li> </ul>
91	<p>Copy of FCRM print of registered party details for LDP</p> <p>Folio 261 of file 2007/384</p>	10.09.2007	<p>1 I <b>recommend</b> that you</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 91 contains personal information to which section 47F of the FOI Act applies;</li> <li>(b) <b>find</b> that it is unreasonable to give access to the contact details of the secretary and registered officer of the LDP who is Senator Leyonhjelm;</li> <li>(c) <b>find</b> that it is possible to prepare a meaningful edited version from which the deliberative matter is redacted; and</li> <li>(d) <b>decide to refuse access to</b> Document No. 91 and <b>in lieu offer</b> access to an edited version of Document No. 91 from which the residential address and telephone numbers of Senator Leyonhjelm are redacted.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings</b> recommended above for the reasons given in my letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 91 and <b>in lieu offer</b> access to an edited version of Document No. 91 from which the residential address and telephone numbers of Senator Leyonhjelm are redacted.</li> </ul>



92	Copy of FCRM print of LDP page of the Register of Political Parties  Folio 262 of file 2007/384	10.09.2007	<p>1 Document No. 92 is a copy of Document No. 91.</p> <p><b>Recommendation</b></p> <p>2 I recommend that you:</p> <p>(a) <b>find</b> that Document No. 92 is a copy of Document No. 91; and</p> <p>(b) <b>decide to subsume</b> your decision about access to Document No. 92 in your decision about access to of Document No. 91.</p> <hr/> <p>I have:</p> <p>(a) <b>made the findings</b> recommended above for the reasons given in my letter; and</p> <p>(b) <b>decided to subsume</b> my decision about access to Document No. 92 in my decision about access to of Document No. 91.</p>
93	Processing checklist for application to register a non- parliamentary party  Folios 263- 75 of file 2007/384	09.03.2007	<p>1 Document No. 93 contains no exempt or conditionally exempt material.</p> <p>2 I <b>recommend</b> that you <b>give access in full</b> to Document No. 93.</p> <hr/> <p>I have:</p> <p>(a) <b>made the finding that</b> Document No. 93 contains no exempt or conditionally exempt material;</p> <p>(b) <b>decided to give access</b> to Document No. 93</p>
94	File closure note  Folio 276 of file		<p>1 Document No. 94 does not contain exempt or conditionally exempt</p>

	2007/384		<p>material, however it contains irrelevant material.</p> <p>2 The irrelevant material is the entirety of Document No. 94.</p> <p>3 You are required to consider the application to Document No. 94 of section 22 of the FOI Act which provides for access being given to edited copies of documents with exempt or irrelevant matter deleted.</p> <p>4 I <b>recommend</b> that you:</p> <ul style="list-style-type: none"> <li>(a) <b>find</b> that Document No. 94 contains irrelevant material that is the entirety of Document No. 94;</li> <li>(b) <b>find</b> that the objects of the Act in giving access to a document containing irrelevant material will be substantially achieved if access is given to an edited version of Document No. 94 from which the irrelevant material is redacted;</li> <li>(c) <b>find</b> that it is not possible to prepare a meaningful edited version from which the irrelevant material is redacted; and</li> <li>(d) <b>decide to refuse access to</b> Document No. 94.</li> </ul> <hr/> <p>I have:</p> <ul style="list-style-type: none"> <li>(a) <b>made the findings recommended</b> for the reasons given in the letter; and</li> <li>(b) <b>decided to refuse access to</b> Document No. 94.</li> </ul>
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End

## **REDACTION CODES**

- 1      Personal Information (name) redacted.
- 2      Personal Information (facsimile of signature) redacted
- 3      Personal Information (facsimile of manuscript initialling) redacted
- 4      Personal Information (Individual's address)
- 5      Personal information (individual's telephone number)
- 6      Business information (Bank Account details) redacted.
- 7      Business information (Billing Account details) redacted.
- 8      Legal Professional Communication redacted.
- 9      Deliberative material redacted.
- 10     Irrelevant material redacted.