

Electoral and Referendum Amendment Regulations 2000 (No. 3) 2000 No. 355

EXPLANATORY STATEMENT

Statutory Rules 2000 No. 355

Issued by the authority of the Special Minister of State

Commonwealth Electoral Act 1918

Electoral and Referendum Amendment Regulations 2000 (No. 3)

Section 395 of the *Commonwealth Electoral Act 1918* (the Act) provides that the Governor-General may make regulations for the purposes of the Act.

Sections 91 and 91A of the Act provide, among other things, that in relation to electoral rolls and habitation indexes, the Regulations may prescribe the purposes for which the information may be disclosed and the authorities to which disclosure may be made.

The Regulations amend the *Electoral and Referendum Regulations 1940* to update references to the purposes for which, and the authorities to which, information can be disclosed in accordance with Sections 91 and 91A of the Act.

Schedule 2 lists the Commonwealth Agencies and Authorities that are entitled to receive information which discloses the particulars of occupations, gender or dates of birth of electors (confidential elector information) for the purposes of subsections 91(10) and 91(11) of the Act.

The amendments to Schedule 2 relate to access to confidential elector information by the Department of Environment and Heritage (DEH) and the Department of Industry, Science and Resources (DISR). In a recent review of access, DEH advised that it no longer required access to confidential elector information. During the same review, the Electoral Commissioner did not approve DISR's justification for the supply of confidential elector information.

Schedule 3 lists the areas of Commonwealth agencies and authorities listed in Schedule 2 that will use the information supplied in electronic format and the purpose(s) for which the information will be used for the purposes of section 91A of the Act.

The amendments to Schedule 3 correct or add details of the areas of a Government agency or authority that may access the information and the purposes for which the information may be disclosed.

There were two further minor technical amendments to Regulation 8 and to the heading of Part 1 of Schedule 2 to replace the word "Departments" with the word "Agencies".

The Regulations commenced on gazettal.