

s 47F

**From:** s 47F  
**Sent:** Monday, 13 March 2023 6:41 PM  
**To:** EIAT  
**Cc:** s 47F  
**Subject:** Re: [External] AEC & TikTok platform engagement follow up [SEC=OFFICIAL]

**Categories:** s 47F

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Hi s 47F,  
It was great re-connecting with the AEC.  
To your questions:

- Seeking information under a legal notices (section 321F Notice – information and documents). Please confirm if TikTok's preferred process is for AEC to email s 47G(1)

Confirming s 47G(1) is the appropriate email address for legal notices. And the AEC can also use that email to report content that potentially breaches TikTok's Terms of Service/Community Guidelines and/or relevant local laws (e.g. the Commonwealth Electoral Act 1918) and that relevant links to content and a brief description of why the AEC is reporting the content should be provided.

- Any information you can share on TikTok's data retention policy, specifically, what period of time is data retained for, and what are TikTok's limits on disclosing information (e.g. general disclosure request (for user/handle information) or under a Notice request).

TikTok maintains a data retention policy that determines data retention periods for different categories of user data. TikTok's threshold for disclosing information is determined on a case by case basis in accordance with applicable laws.

- Additional information on reporting channels and incident handling

Overall, we aim to review reported content within 24hrs (in alignment with requirements in the Online Safety Act 2021). As the AEC would recall in the 2022 Australian Federal Election, this response time may be much faster, even within a few hours, depending on the type of content reported or flagged.

We will await the AEC's letter regarding updated referendum regulations!

Kind regards

s 47F

On Mon, Mar 6, 2023 at 2:04 PM EIAT <[EIAT@aec.gov.au](mailto:EIAT@aec.gov.au)> wrote:

Hi s 47F

Just a quick note to thank you for your time in our recent meeting and apologies for the delay in following up.

To recap, the AEC will be providing all platforms with a letter outlining the regulatory environment once legislation is finalised. Following this, we'd be very happy to schedule a meeting and discuss any question you may have. Of course, if we can offer any assistance in the interim please let me know.

Additionally, the AEC have some questions, outlined below, I'm hoping you can provide clarification on:

- Seeking information under a legal notices (section 321F Notice – information and documents). Please confirm if TikTok’s preferred process is for AEC to email **s 47G(1)**
- If AEC believes a TikTok video/post is in violation of the terms of service or breaches a law (Commonwealth Electoral Act 1918 (Cth)), that it is preferred for AEC to email **s 47G(1)** and include a URL to the relevant content and a description of the specific law/policy AEC believes it violates.
- Any information you can share on TikTok’s data retention policy, specifically, what period of time is data retained for, and what are TikTok’s limits on disclosing information (e.g. general disclosure request (for user/handle information) or under a Notice request).

We’re also appreciative of the referral pathway **s 47F** stepped us through in the meeting. However, if you’re able to provide some further information around the expected timings for incident handling, we’d be grateful.

Looking forward to hearing from you soon and working together over the coming months. If you have any questions regarding the above please don’t hesitate to reach out.

Kind regards,

**s 47F**

**s 47F** | Project Officer

Defending Democracy Unit | Electoral Integrity and Communications Branch

Australian Electoral Commission

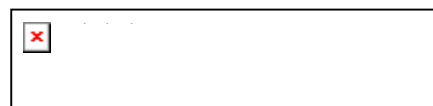
T: **s 47F**



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**s 47F**

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