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**THE AUSTRALIAN  
RECORD RETENTION MANUAL  
2011 Edition**

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## FOREWORD

The purpose of the Australian Records Retention Manual (ARRM) is to assist Records Managers and Administrators understand the elements of a Record Retention System and proceed with the successful implementation and ongoing control of the system.

The ARRM is designed to assist organisations to develop their own retention and disposal schedules for all classes of records generated and received by an organisation in its day-to-day business activities.

The range of material covered in this edition continues to grow. There are now references to over 2,500 individual pieces of legislation listed in the **List of Laws** section of the manual (**Section 15**). Please note, not all are current pieces of legislation. The Manual provides a comprehensive list of repealed laws and the reason for doing so.

Each year thousands of changes will have been made to this section alone. Those with extensive changes have been listed in **Section 16: Changes to Laws since the Last Edition**. This section contains references to all new additions, laws that have been repealed or revoked and the laws that now replace them. This section also lists some of the more significant changes to legislation. This includes laws that have been renamed, or had sections relating to record keeping added to or removed from the legislation.

As a result of these changes, the indexes (**Section 13: Index of Business Groups and Law Groups** and **Section 14: Index of Laws by State**) have been updated.

However it should be noted that several other sections in this manual have been revised. This includes:

- **Section 5: Standards and Benchmarks**
- **Section 8: Australian Record Retention Schedule**
- **Section 8.3: Record Retention Schedules (by Record Series)**
- **Section 10: Introduction to Minimum Legal Retention Requirements, Legal Compliance and Duty of Care**
- **Section 11; The Laws of Evidence**
- **Section 12: Introduction to Limitations of Actions**

**We have noticed a move towards harmonizing the many state laws. For example the Occupational Health and Safety Laws and Occupational Licensing Laws. As these are finalized, changes to the manual will then occur. Current subscribers will receive notification of these changes within the Annual Updates.**

The publishers would like to thank those people who have taken the time to make suggestions on the layout and content of the manual, and we look forward to hearing from many more of you this year. If you have any comments or suggestions for future editions please send an email to [arrm@iea.com.au](mailto:arrm@iea.com.au), we shall look forward to hearing from you.

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## GLOSSARY OF TERMS

### Definitions taken from (unless otherwise stated):

Australian Standard AS 4396: 1996

Australian Standard AS/ISO 15489: 2001

DIRKS – A Strategic Approach to Managing Business Information, Glossary. Canberra, National Archives of Australia, September 2001

GDA for Administrative Records, SRO April 2003

National Archives of Australia: Electronic Records Bibliography; May 2003

State Records Commission Principles and Standards 2002 published in the Western Australian Government Gazette, Tuesday, 5<sup>th</sup> March 2003 No 38

State Records NSW, Glossary

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**Access:** The right, opportunity, or means of finding, using or retrieving information.

**Accountability:** The principle that individuals, organisations and the community are responsible for their actions and may be required to explain them to others. *AS ISO 15489 Part 1 Clause 3.2*

**Accurate records:** Records must accurately reflect what was communicated, decided or done (or not done). That is, the record's content, context and structure can be trusted as a true and accurate representation of the transactions, activities or facts that they document and can be depended upon in the course of subsequent use. *AS4390, Part 3, Clause 5.3*

**Active records:** Records in frequent use, regardless of their date of creation, required for current business relating to the administration or function of the agency. Such records are usually maintained in office space and equipment close to hand. *State Records NSW, Glossary*

**Activity:** The major tasks performed by an organisation to accomplish each of its functions. An activity should be based on a cohesive grouping of transactions producing a singular outcome. *State Records NSW, Glossary*  
See also **Function** and **Transaction**.

**Adequate records:** Records should be adequate for the purposes for which they are kept. Thus, a major initiative will be extensively documented, while a routine administrative action can be documented with an identifiable minimum amount of information. There should be adequate evidence of the conduct of activity to be able to account for that conduct. *AS4390, Part 3, Clause 5.3*

**Administrative records:** Records that are created to document and support the operational activities of the agency which include administration of finance, human resources, equipment and other facilitative operations. *Queensland State Archives*

**Appraisal:** The process of evaluating business activities to determine which records need to be captured and how long the records need to be kept, in order to meet business needs, the requirements of organisational accountability and community expectations. *AS 4390, Part 1 Clause 4.3*

### Archives/ Archival Records (See Sections 6 and 7):

- Those records that are appraised as having continuing value and that have been selected for permanent retention. *AS4390, Part 1, Clause 4.5*
- Those records that are appraised as having continuing value. Traditionally the term has been used to describe records no longer required for current use which have been selected for permanent preservation. Also referred to as permanent records.
- The place (building/room/storage area) where archival material is kept.
- An agency (or part of an agency) responsible for appraising, acquiring, preserving and making available archival material. *Ellis (ed), Keeping Archives, p. 463*

**Archiving:** The process of transferring inactive records from current storage areas to a repository for long-term storage, preservation and access.

**Audit:** The periodic process of checking that operations are carried out in accordance with documented procedure (**see Section 7.4.6**).

**Business Activity:** An umbrella term covering all the functions, processes, activities and transactions of an organisation and its employees. Includes public administration as well as commercial business.

**Capture:** A deliberate action that results in the registration of an item into a recordkeeping system. In some electronic document management systems this process works in conjunction with the creation of the record. *AS 4390 Part 1, Clause 4.7*

**Certification:** The process of obtaining annual compliance signatures from persons having defined responsibilities in respect to procedure (**see Section 7.4.6**).

**Classification:** The process of systematic and consistent application of schemes based on business activities. It also covers determining document or file naming conventions, user permissions and security restrictions on records.

**Compliance:** Ensuring that the requirements of laws, regulations, industry codes and organisational standards are met.

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## SECTION 1: WHAT IS A RECORD?

We keep business records for a number of reasons. Every organisation regardless of its size, creates, receives and uses records (both paper based and electronic / digital) in relation to business activities on a daily basis. These "records" form the framework around which an organisation conducts its business, complies with regulatory requirements and can provide necessary accountability of business activities. **The record, subject to a test of reliability, is proof of how things were at any given point in time.**

According to the AS/ISO 15489 a record is:

"Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transactions of business."

Whilst the National Archives of Australia defines a record as:

- "that which is created and kept as evidence of agency or individual functions, activities and transactions"

and it must also:

- "To be considered evidence a record must possess content, structure and context and be part of a record keeping system."

The authors wish to acknowledge that whenever the term "Record" as used in the context of this manual we are referring to the definition as given by the AS/ISO 15489.

### **Electronic Records (Digital Records):**

Any record created or stored electronically. Included in this term are those records that are "born digital" as well as records which have been scanned into an electronic record format and stored on "the system". Within this category of record are e-mails, interactive messages (for example MSN Messaging) and any SMS text messages which are sent and received as part of a business transaction. These kinds of electronic records should be subject to the same retention and disposal schedules as the rest of the electronic and paper based records managed by an organisation.

The content, context and structure of electronic records, especially emails, are essential in discovery proceedings. For example, keeping emails in their original form with minimal tampering or alteration will add to the credibility of electronic evidence.

### **Paper Based Records:**

Are those records that have been sent or received as part of a business transaction, and includes correspondence, memos, statements etc. It also includes records which have been created electronically and a paper copy has been printed out for "file" or circulation, and includes items such as reports and copies of correspondence.

## SECTION 3: WHAT IS RECORDS MANAGEMENT?

“Records management is the systematic control of recorded information from creation to final disposal” (1)

Records management follows a logical and systematic approach to the creation, maintenance, use and disposition of records regardless of format. Records management also encompasses the selection, implementation and maintenance of systems that have been designed to assist organisations with this task.

Those people who are not versed in the science of records management tend to use the term “filing” to categorize what they think records management is. In reality records management is a little more complex than determining which section of the filing system should be used to store the documents or files.

It should be noted at this point that the term *filing system* is just one type of *records management system*. A filing system controls the arrangement, sorting and storing of records so they can be readily and easily retrieved when required.

The term records management system can be used to refer to a totally integrated system encompassing all records, regardless of format, from the moment of creation (and before) to their destruction or permanent archive.

Records management ensures organisations have access to the right material at the right time. This could be to support:

- Decision-making;
- Day-to-day operational activities; or
- As evidence of policies; and
- Litigation support.

Organisations are required by law to create certain records, and they are also obliged to retain certain series of records for specified periods. A records management system ensures these legal obligations are met, as well as providing the means of managing the ever-increasing volume of records being created and received by an organisation on a daily basis.

The remaining sections of the manual explain the components of what a records management system is, and the numerous pieces of legislation that should be taken into consideration when deciding how long information should be retained.

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1 Ricks, B.R. and Gow, K.F. 1988, Information Resource Management: A records Systems Approach, 2<sup>nd</sup> ed, South- Western Publishing Co., Cincinnati, Ohio, pp20

## SECTION 4: COMPONENTS OF A RECORDS MANAGEMENT PROGRAMME

### 4.1 INFORMATION AUDIT (RECORDS SURVEY)

Before embarking on a records management programme it is advisable to conduct an Information Audit or records survey. It is important to establish:

- What records exist within the organisation;
- How many records exist;
- Where they are housed;
- Who uses them;
- How they are used; and
- The legislation that impacts on the organisation.

When conducting the audit it is important to consider **all records in all formats**, including electronic. For example E-Mail, JPEG, GIF, TIFF as well as those items stored on CD-ROM, DVD, Floppy Disc and Microform. The information audit should also take into consideration those items stored offsite, as well as records no longer in the immediate work area (i.e., store-rooms). This helps to determine how much material has been generated and received by the organisation, and how much information is likely to be generated in the future. The Information Audit highlights whether there are any gaps in the collections of materials stored as well as inconsistencies and duplication, as well as determining if there are any inefficiencies and bottlenecks in the current system. See **Section 7: Implementing a Record Retention Programme** for more information.

### 4.2 RECORDS RETENTION AND DISPOSAL PLANNING

Once you have conducted your Information Audit and understand what kinds of records are created and stored by your organisation it is important to establish:

- How long these records need to be kept (See **Section 8: Australian Record Retention Schedule**); and
- How they should be grouped for ease of retrieval, storage and disposal (See **Section 8.3: Record Retention Schedules (by Record Series)**).

Once these two factors have been determined, you can then establish the types of record system required and work on the development of the organisational Retention and Disposal Schedule.

### 4.3 DESIGN AND IMPLEMENTATION OF A RECORDS SYSTEM

A records management system should:

- Capture all records generated or transferred into the system as part of normal business activities;
- Organize records in a way that reflects an organisation's business activity;
- Protect records from unauthorized alteration or disposal;
- Provide easy search and retrieval access to all records.

A records management system should also be adaptable to an organisation's changing business needs without compromising the records themselves. If transfer to another records management system is required, then the transfer should not adversely impact on the integrity of the records.

### 4.4 MANAGEMENT OF SEMI-ACTIVE AND INACTIVE RECORDS

Semi-active and inactive records are those which do not have a requirement for the day-to-day business activities of an organisation and do not need to occupy prime office space. These records can be stored offsite, however, it should be noted that all records regardless of where they are stored should be subjected to the organisation's retention and disposal policy.

For more information on transferring records to secondary storage please see **Section 7.4: Transfer procedures**. For more information on archival records please see **Sections 6 and 7**.

#### **4.5 VITAL RECORDS PROTECTION PROGRAMME**

Vital records are records required by an organisation to function effectively, and are essential for the re-establishment of an organisation in the event of a disaster.

When putting together a records management programme, care should be taken to determine which records are classed as “vital” to an organisation’s on-going business requirements and stored in an appropriate location.

For more information on **Disaster Recovery** see **Section 6.2.3** and for **Vital Records** see **Sections 6 and 7**.

#### **4.6 POLICIES AND PROCEDURES**

Once a records management programme is in place it is important that an organisation establish, document and maintain policies and procedures to ensure that its business needs are met.

Policies should be adopted and endorsed at the highest decision-making level of an organisation. They should cover the legislation, regulations and standards which directly impact on the creation and management of records connected to an organisation’s business activities. The policy documents should also include reference to all benchmarks and best practices that an organisation should adopt or work towards.

Policies should also cover responsibilities and authorities, so that an organisation understands who is responsible for any particular action.

#### **4.7 TRAINING**

All operators and users of the system should undergo formal training in the records management programme as well as any records management system used by the organisation. This training will test your policies and procedures, and ensure that all work being undertaken is in accordance with what is written down.

Training should be an ongoing process. However, it is a vital component when moving from one system to another, or implementing an electronic system for the first time. Change management issues will be high-lighted and emphasis should be placed on the new ways of working rather than trying to adapt old ways of working to the new system.

#### **4.8 MONITORING AND REVIEW**

As with all systems, an ongoing review and a process for continual monitoring and improvements (where necessary) should be written into the policies and procedures. This ensures any changes to the organisational structure, suppliers and methods can be incorporated into the documentation.

If you are embarking on this programme for the first time it also vital that you receive the support of management as well as those people who will be using the system on a daily basis.

Support from management should ensure adequate funding for the completion of the initial project as well as ongoing maintenance and upgrades. It should also be recognised, that funding should incorporate staff time, salaries, software, hardware and consumable items such as file covers and labels.

It is also vitally important to gain support from operators and users. As with all significant changes to the way operations are carried out, this can be quite stressful to those people whose jobs will be most affected. Any questions or concerns should be addressed by both management and the team implementing the new system. All staff and users should have a chance to comment on the proposed changes, and modifications to the system. If users do not feel comfortable with the new system and ways of working, they will quickly find ways of bypassing it. Therefore when considering the implementation of a new system it is important to stress the benefits and advantages of the system.

## SECTION 5: STANDARDS AND BENCHMARKS

The publishers would like to draw the reader's attention to the many industry specific standards that are available which may affect record keeping. These were checked on 11.11.2011

### 5.1 RECORDS MANAGEMENT STANDARDS: AUSTRALIA

Records management is gaining worldwide acceptance as an important business activity and as such, standards for records management have been developed. These include:

- AS 2828: 1999 - Paper based health care records
  - DR AS 2828.1 - Health records - Part 1: Paper based healthcare records
  - DR ATS 2828.2 - Health records - Part 2: Digitized (scanned) health record systems requirements
- AS 5037: 2005 - Knowledge Management: A Guide
- AS 5044.1: 2010 - AGLS Metadata element set – Reference Description
- AS 5044.2: 2010 - AGLS Metadata element set – Usage guide
- AS 5044.2: 2010/Amdt 1-2011 - AGLS Metadata Standard - Usage guide
- AS 5090: 2003 - Work Process Analysis for Recordkeeping
- AS 8000: 2003 - Corporate Governance – Good governance principles
- AS ISO 10013: 2003 - Guidelines for Quality Management System Documentation
- AS ISO 15489.1: 2002 - Information and documentation - Records management - Part 1: General
- AS ISO 15489.2: 2002 - Information and documentation - Records management - Part 2: Guidelines
- AS ISO 15801: 2006 - Electronic imaging – information stored electronically – Recommendations for trustworthiness and reliability
- AS ISO 18492: 2006 - Long-term preservation of electronic document-based information
- AS ISO 19005-1: 2006 - Document management – Electronic document file format for long-term preservation – Part 1: Use of PDF 1.4 (PDF/A-1)
- AS ISO 19005-1: 2006 - Amendment 1: 2007 - Document management – Electronic document file format for long-term preservation – Part 1: Use of PDF 1.4 (PDF/A-1)
- AS ISO 23081.1: 2006 - Information and Documentation – Records management processes – Metadata for records – Part 1: Principles
- AS ISO 23081.2: 2007 - Information and Documentation – Records management processes – Metadata for records – Part 2: Conceptual and implementation issues
  - DR AS/NZS ISO 23081.3 CP - Information and Documentation - Managing metadata for records - Part 3: Self-assessment method
- AS ISO/IEC 11179.1: 2005 - Information Technology – Metadata Registries (MDR) Framework
- AS ISO/IEC 11179.2: 2005 - Information technology - Metadata registries (MDR) - Classification for data elements
- AS ISO/IEC 11179.3: 2005 - Information technology - Metadata registries (MDR) - Registry metamodel and basic attributes
- AS ISO/IEC 11179.4: 2005 - Information technology - Metadata registries (MDR) - Formulation of data definitions
- AS ISO/IEC 11179.5: 2005 - Information technology - Metadata registries (MDR) - Naming and identification principles for data elements
- AS ISO/IEC 11179.6: 2005 - Information technology - Metadata registries (MDR) - Registration

## SECTION 6: AN INTRODUCTION TO THE RECORD RETENTION PROGRAMME

A Record Retention Programme is one that ensures adequate controls over the ongoing retention as well as the protection and disposition of business records.

That is, it provides for efficient retrieval, secure and cost effective storage and handling, and timely destruction of an organisation's records or, in the case of Archival records, selection for further retention and possible preservation.

A properly constituted Record Retention Programme should remove from department and work unit heads the burden of responsibility for creating records disposal arrangements that may not comply with legal requirements or desired standards. Instead, department and work unit heads are simply asked, initially, to provide input in respect of records generated (upon which retention and disposal schedules are developed), and then to comply with certain procedures designed to meet the objectives of management in information security and retrieval, cost efficiency, standardization and legal compliance. The programme is uniform and easily taught. Each department should know how to transfer records to storage correctly, how to retrieve them and how the disposal scheduling system works.

The components of a '**Record Retention Programme**' substantially can be recognised in the chart to follow.

# RECORD RETENTION PROGRAMME

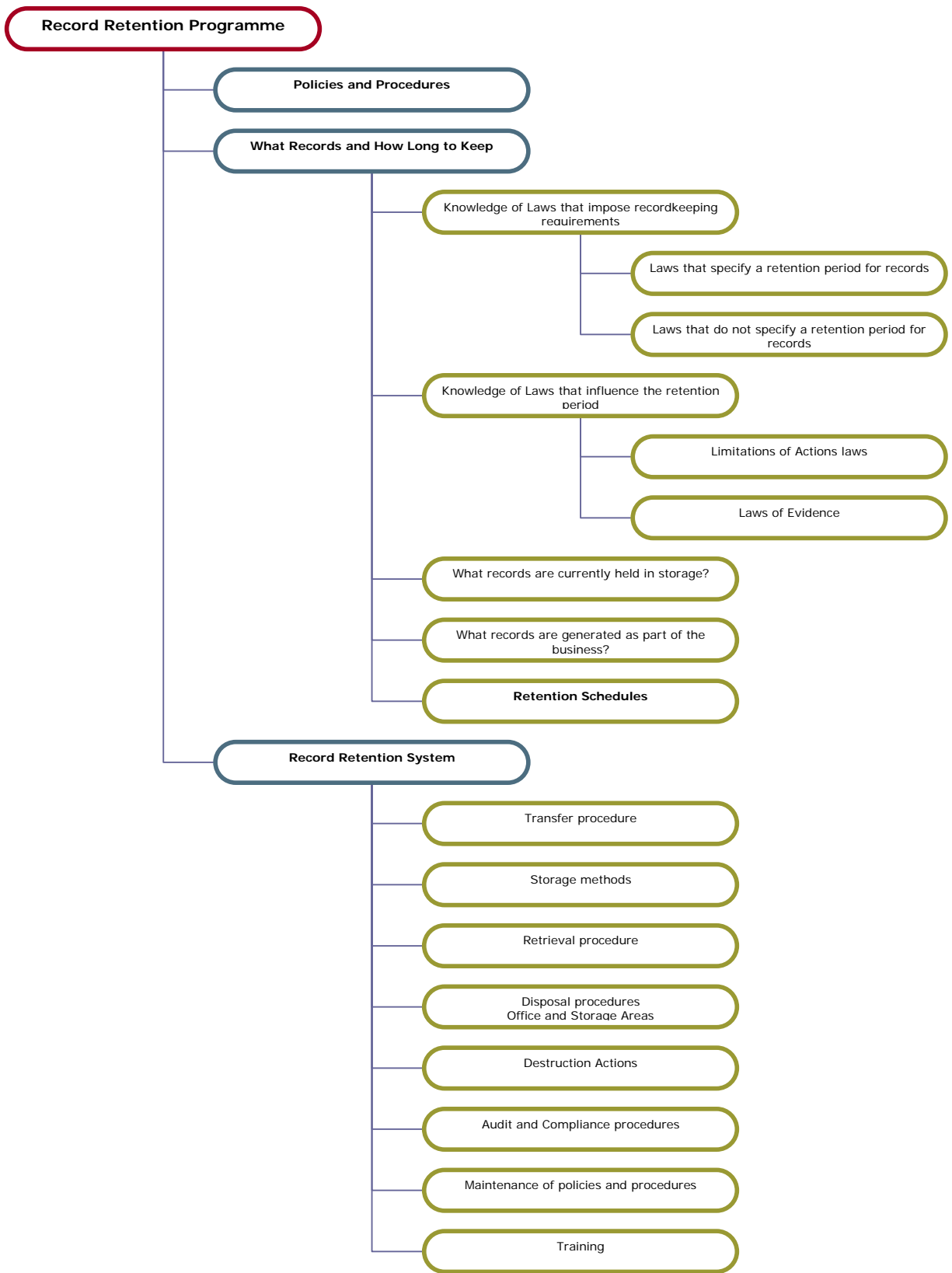


Fig. 1.

### 7.3 RETENTION AND DISPOSAL SCHEDULES

The Retention and Disposal Schedule (the Schedule) plays an integral part in the good management of records and is the cornerstone of the records retention programme. Many organisations do not possess formal records retention schedules and records disposal, generally, is carried out on an ad hoc basis which may be triggered by a physical move or overcrowding of storage areas. This practice is not recommended as there is always the danger that records may be destroyed without reference to appropriate legal references. The application of the Schedule removes the ambiguity of records disposal. (Note the term “disposal” refers not only to the permanent destruction of records but also to any other action relating to the transfer of records during their “life cycle”.)

The Schedule aims to:

- Establish realistic retention periods for records created and stored by the organisation.
- Allow for prompt and legal destruction of records which have met their statutory requirements and are no longer required by the organisation.
- Identify and preserve important records which may have **historical** and **evidentiary value** to the organisation.
- Remove little used records to low cost inactive storage either on site or offsite.
- Free up computer storage space.

It is comprised of the records series identified from the records inventory with directions for how the records are to be disposed of after their creation and initial use. The Schedule provides the user with information pertaining to each records series i.e.:

- How long the records are to be retained both onsite and offsite.
- Which records are required to be held permanently and
- When records can be destroyed.

The completed records inventory forms provide approximations of required retention periods by work unit for each record series the work unit manages. The records series are categorized by function as indicated in **Section 7.2.2 Where to Begin?** and as they are being categorized duplications of records can be identified and noted. Once the records series have been placed into appropriate functions then a set of retention and disposal schedules are prepared using the information from the records inventory forms, the research into **legislation (Sections 13-15)** and the schedules that appear in this manual (**Section 8**).

As the schedules are being prepared, advice and guidance should be sought from the project reference group, particularly with regard to total retention periods, to ensure they meet both user and legal requirements.

Once the Schedules are complete they form part of the Record Retention Manual. These should be approved and endorsed by the CEO as well as the directors and administrators of the organisation.

### 7.4 SYSTEM PROCESSES

The processes detailed in this section provide a guideline for any organisations record retention programme, however, each organisation will have different requirements in relation to the processes that are implemented. For example, an organisation that maintains an on-site inactive records store (frequently, but incorrectly, referred to as an archives room) will have different processes for the transfer, storage, retrieval and disposal of its records from an organisation that has a contract with a commercial storage repository. Use what is provided here as an outline of the types of tasks that must be done and who is responsible and then develop and document the processes that meet your organisation’s needs.

#### 7.4.1 TRANSFER PROCEDURES

The following procedures assume that the reader stores records in-house. Use of commercial storage facilities or variations in organisational structure may demand modifications to these procedures.

Generally, records can be transferred to on-site or off-site secondary storage facilities at any time. Records can also be transferred to on-site secondary storage for later transfer off-site. It is suggested that records be boxed and listed before they leave the office.

The attention of readers is drawn to the fact that certain exceptions may apply to these procedures:

- Where a commercial repository is used it is advisable that a set of procedures be implemented that incorporates the systems and methods adopted by the repository.

## SECTION 8: AUSTRALIAN RECORD RETENTION SCHEDULE

### 8.1 INTRODUCTION

A **Records Retention Schedule** is a list of the record series that have been determined by an organisation, with directions on how the records are to be disposed of after their creation and initial use has expired. The retention and disposal schedule should indicate the series no. allocated to each record group, a standard description and a prescribed retention period. Readers may find it useful to assign **two** retention periods to each group, one for the period of retention in the office and the other for the **total** retention period if longer. Record series that are to be retained indefinitely should be marked accordingly. In addition to this information, a retention and disposal schedule may also include directions on when records are to be transferred to secondary storage or archives.

Please note: the term disposal does not just refer to the physical destruction of records, but also to any other action that involves records being transferred from active storage, or semi-active storage to the next stage of their “life cycle.”

**Record Retention Schedules** form an integral part of record retention policy. They should be included in a **Record Retention Manual**, and are essential to the success of a **Record Retention Programme**.

A set of **Record Retention Schedules by Function** lists all of the records generated and filed according to function and their series numbers are generated by function. It facilitates a review of all records and their retention periods by function. It is also more stable than if the records were catalogued only by work unit. Organisational structures tend to change with the fashion. The full set of Schedules can be prepared as a policy document and issued either in the company **Record Retention Manual** or as a separate, controlled document.

It is recommended that when an organisation first develops its retention schedules, work units should gather the information. Only then should it be rationalised **by function** for the record retention manual.

**Please note: How retention schedules are developed, step-by-step, is addressed in Section 7: Implementing a Record Retention Programme.**

The schedules are listed as follows:

RECORD SERIES		Suggested on site retention	Suggested off site retention	Total retention period
NAME OF RECORD SERIES				
Series Number	Description of contents – This reflects the best or most preferred way of describing the records falling under any one series. Where the series number embraces several records they can be listed under the general description.	Period given in years	Period given in years	Total length of time the record series should be retained. Period given in years.

Whilst it is recognised that no two organisations are entirely alike, there are some record series that pertain to every organisation, regardless of size, location and type of business being conducted. **The Records Retention Schedule provided in this manual reflects those types of records series.**

### **Finding a Record Series in the Schedule:**

To find a record in the schedule you can use the **Schedule Index (Section 8.2)**, this will give you its Series Number.

Additional management notes regarding the record are given in **Section 9: Specific Records Groups**.

Please note: These schedules only cover records of an administrative nature which are common to most organisations. Your organisation will create and use records that are not listed.

For example, if you are in Merchandising, Banking, Building, Trade Unions etc., you will find the records which you associate with these functions are included only from the administrative viewpoint. You will need to add schedules to cover the more substantive interests of your company. This can be achieved with the use **Section 7.3** for advice on how to develop schedules for your organisation.

When developing your organisational specific retention and disposal schedule, you will need to refer to:

**Part 5: Laws Relating To Retention and Disposal of Records** which provides the relevant legislation for every organisation and business type, and is broken down as:

- Index of Business Groups and Law Groups (**Section 13**);
- Index of Laws by State (**Section 14**); And
- List of Laws (**Section 15**); listed in numerical order as researched.

Previous readers of the manual will also find **Section 16** useful as this contains the **Changes to Laws since the last edition**.

## 8.2 Schedule Index

Schedule Index	Section Nos	Record Series No(s) (s.8)	SRG No(s) (s.9)
A/P - accounts payable	8	FAP	
A/R - accounts receivable	8	FAR	
Abandoned project records	8	BLD.05, PRD.01.2	
Absentee records	8, 9	FPA.03 ,FPA.05.1, FPA.07	4, 13
Accident insurance records	8, 9	FGA.10	7
Accident procedures	8, 9	ADM.07	7
Accident, injury & illness logs	8	HSE.01	
Accident records and reports	8, 9	HSE.01, PER.01	4, 7
Accountable document registers	8, 9	ADM.90, FGA.90	2
Accounting procedures	8	ADM.07	
Accounts payable records	8	FAP	
Accounts receivable records	8	FAR	
Acquisitions - take-overs	8, 9	COR.16, LEG.01, LEG.02	6
Acts of parliament	8	- .99 (all schedules)	
Actual vs. Budget records	8	FGA.01	
Actual vs. Capacity records	8	FGA.01	
Ad Hoc Committee Records	8	ADM.04	
Ad Hoc non-routine payroll reports	8, 9	FPA.06	4, 13
Address – Change of	8, 9	COR.05.2	4
Addresses – employee lists	8, 9	PER.03	4
Administrative records	8	ADM	
Admittance Records	8	ADM.25.4	
Advances - loans records	8	FGA.13, LEG.01, LEG.02	
Advertising material – vendor	8	PUR.99	
Advertising records – own	8	MAR.11	
Affiliations – employee lists	8, 9	PER.01	4
Aged trial balances	8	FAR.05	
Agendas	8	ADM.04, ADM.15, ADM.25, BLD, COR.06, COR.07, COR.08, COR.16	
Agents' commission paid records	8	FAP.01	
Agreements	8, 9	BLD.03.2, LEG.01, LEG.02, PER.08	2, 10
Alerts (Including staff awareness programmes)	8	ADM.11	
Analytical - testing records	8, 9	QUA.01, QUA.04, SCI.08	6
Annual general meetings	8	COR.06	
Annual leave records	8, 9	FPA.02, FPA.05, FPA.07	4, 13
Annual reports	8	COR.03, COR.06	
Annual returns	8	COR.01, COR.03	
Annual statements to personnel	8, 9	FPA.08.2	4, 13
Application copies – building projects	8, 9	BLD.03.2	10
Applications for employment	8, 9	PER.01, PER.02	4
Archives/archival records	6, 8	ARC	
Articles - own, published	8	MAR.12	
Articles of association	8	COR.01, COR.02	
As built drawings	8, 9	BLD.03.1	10
Asbestos risk assessment results	8, 9	HSE.04	2, 10
Assessment records – personnel	8, 9	PER.01, PER.90	4
Asset records	8, 9	FGA.02	9
Assets and liabilities	8	FGL.03	
Association membership records	8, 9	ADM.15	
Attendance records	8, 9	PER.90	4
Attorney, powers of	8, 9	COR.05.4, LEG.01	2
Audit (Annual)	7.4.6		
Audit records	8	FGA.14	
Audit trail reports	8	STO.05	
Authorisations for expenditure	8, 9	FGA.02, FGA.90, PUR.01	9
Authorisations to deduct payments	8, 9	FPA.02	4, 13
Authorities – signature	8, 9	ADM.90	2



### 8.3 RECORD RETENTION SCHEDULES (BY RECORD SERIES)

The Publishers would like to draw the reader's attention to the many industry specific standards which may affect the Retention and Disposal dates quoted in these schedules (See **Section 5: Standards and Benchmarks**). In addition, please be aware of any existing organisational Retention and Disposal Schedules, especially organisations who are owned or managed by a parent organisation who's headquarters may not reside in Australia, or those organisations who have offices outside of Australia.

In all cases consideration should be given for the retention of documents for the longest period of time, rather than the specified time stated in these schedules.

#### Record Series

Section number	Series	Series Code
8.3.1	Ephemeral Records	AAA
8.3.2	Administrative and Management	ADM
8.3.3	Archival (Historical Interest)	ARC
8.3.4	Building, Construction and Maintenance	BLD
8.3.5	Corporate and Secretarial	COR
8.3.6	Finance: Accounts Payable	FAP
8.3.7	Finance: Accounts Receivable	FAR
8.3.8	Finance: Banking	FBA
8.3.9	Finance: General Accounting	FGA
8.3.10	Finance: General Ledger	FGL
8.3.11	Finance: Payroll	FPA
8.3.12	Finance: Taxation	FTA
8.3.13	Health, Safety and Environment	HSE
8.3.14	Information Technology and Telecommunications	ITT
8.3.15	Legal	LEG
8.3.16	Manufacturing	MAN
8.3.17	Marketing, Public Relations and Sales	MAR
8.3.18	Personnel	PER
8.3.19	Product Development	PRD
8.3.20	Purchasing	PUR
8.3.21	Quality Control	QUA
8.3.22	Scientific and Technical	SCI
8.3.23	Stores	STO

8.3.1 AAA – EPHEMERAL RECORDS

<b>RECORD SERIES</b>		<b>Suggested On-site Retention</b>	<b>Suggested Off-site Retention</b>	<b>Total Retention Period</b>
<b>AAA – Ephemeral Records</b>				
<b>AAA.01</b>	Duplicate copies of records covered in other record series	DESTROY when reference ceases		
<b>AAA.02</b>	Promotional material from other organisations	DESTROY when reference ceases		
<b>AAA.03</b>	Messages and notes not related to business transactions	DESTROY when reference ceases		
<b>AAA.04</b>	Letters or cards of appreciation or greeting	DESTROY when reference ceases		

See also Section 2.8 – Transitory (Temporary/Ephemeral) Records

8.3.2 ADM – ADMINISTRATIVE AND MANAGEMENT

When assigning this series number, use the last day of the current calendar year to calculate disposal, unless specified otherwise.

RECORD SERIES ADM – Administrative and Management		Suggested On-site Retention	Suggested Off-site Retention	Total Retention Period
<b>ADM.04</b>	<b>Project Records and Reports</b> Records of administrative projects resulting in change to policy or procedure, including systems development projects, consultants' reports, Ad Hoc committee records (internal to the organisation) which should include the purpose, objectives, minutes, agenda and supporting papers of the Ad Hoc Committee, etc. Records of such projects should substantiate the systems implemented or changes made to systems and disposal should be calculated from the date the system becomes obsolete or is superseded. For minutes of meetings associated with scientific experimental projects use SCI.03			
<b>ADM.04.1</b>	<ul style="list-style-type: none"> <li><b>Official copy in responsible office</b> (For records of abandoned projects use ADM.90) Use the date the system becomes obsolete or is superseded to calculate disposal. Ensure an Archivist reviews these records prior to destruction</li> </ul>	1 year	6 years	7 years
<b>ADM.05</b>	<b>Reports/Printouts – Routine Non-Financial, Of Long Term Value</b> (inc. destroyed records lists, and security guard logs in this section)			
<b>ADM.05.1</b>	<ul style="list-style-type: none"> <li><b>Official copy in responsible office</b> Ensure an Archivist reviews these records prior to destruction</li> </ul>	1 year	6 years	7 years

RECORD SERIES		Suggested On-site Retention	Suggested Off-site Retention	Total Retention Period
<b>COR – Corporate and Secretarial (cont)</b>				
<b>COR.06</b>	<p><b>Minutes Of Meetings</b> General, shareholder meetings. See also COR.07 for Directors meetings and COR.08 for Subsidiary Board meetings. For minutes of In-house committees see ADM.25 and ADM.15 for meetings of external committees and associations.</p> <p>The records of the Board Meetings where shareholders are present or Shareholders meetings comprise minutes of meetings, agendas, notices of meetings, attachments to minutes (usually official correspondence and reports which are tabled at meetings). The records of the Board may also contain selection procedures for participants, intended frequency of the meetings, as well as the rules and procedures.</p>			
<b>COR.06.1</b>	<ul style="list-style-type: none"> <li>• <b>Official signature copy in corporate file with attachments</b> (chairman's address, reports etc.). Records assigned to this series number should be located in a vault and retained permanently.</li> </ul>	PERMANENT		PERMANENT
<b>COR.06.2</b>	<ul style="list-style-type: none"> <li>• <b>Security copy in alternative premises</b> When assigning this series number use the last day of the current fiscal year to which the records relate to calculate disposal. Records assigned this series number should be stored in an alternative location to those records assigned the series numbers COR.06.1, COR.06.3 and COR.06.4</li> </ul>	1 year	19 years	20 years
<b>COR.06.3</b>	<ul style="list-style-type: none"> <li>• <b>Official reference copy in corporate file</b> When assigning this series number use the last date of the current fiscal year to which the records relate to calculate disposal.</li> </ul>	1 year	9 years	10 years
<b>COR.06.4</b>	<ul style="list-style-type: none"> <li>• <b>Work papers</b> When assigning this series number use the last date of the current fiscal year to which the records relate to calculate disposal. Ensure these records are reviewed prior to transfer to interim storage and destruction.</li> </ul>	2 years	8 years	10 years
<b>COR.07</b>	<p><b>Minutes Of Directors Meetings if separate from COR.06. Also, for subsidiary boards see COR.08. For minutes of In-house committees see ADM.25 and ADM.15 for meetings of external committees and associations.</b></p> <p>The records of the Directors' Meetings comprise minutes of meetings, agendas, notices of meetings, attachments to minutes (usually official correspondence and reports which are tabled at meetings). The records of the Board may also contain selection procedures for participants, intended frequency of the meetings, as well as the rules and procedures.</p>			

8.3.8 FBA – FINANCE – BANKING

When assigning this series number, use the last day of the current fiscal year to calculate disposal, unless indicated otherwise.

RECORD SERIES		Suggested On-site Retention	Suggested Off-site Retention	Total Retention Period
<b>FBA – Finance – Banking</b>				
<b>FBA.01</b>	<b>Banking Records</b> (incl. pay-in lists (depository receipts), bank statements, cheque butts, records of cancelled cheques, bank reconciliation records, etc.)			
<b>FBA.01.1</b>	<ul style="list-style-type: none"> <li><b>Official records in responsible office</b> Ensure these records are reviewed prior to transfer to storage and before destruction.</li> </ul>	1 year	6 years	7 years
<b>FBA.05</b>	<b>Electronic Banking Notices</b> (if separate from FBA.01). Electronic Banking payment confirmation notices should be filed with the tax invoice as evidence of payment (FAP.01).			
<b>FBA.05.1</b>	<ul style="list-style-type: none"> <li><b>Official copy in responsible office</b> Ensure these records are reviewed prior to transfer to storage and before destruction.</li> </ul>	1 year	6 years	7 years
<b>FBA.90</b>	<b>General banking files not covered by above</b> Ensure these records are reviewed prior to transfer to storage and before destruction.	1 year	6 years	7 years
<b>FBA.99</b>	<p><b>Technical Reference Material (incl. current overdraft terms, interest rates, comparative banking options etc.).</b>            Technical reference material can take the form of books, manuals, magazines, journals, catalogues, price lists, tables, Acts of Parliament, regulations, articles extracted from magazines, brochures and even some correspondence files. In some cases the items can be stored in a company library system and retrieved as required. Others, however, will be retained in close proximity to the user.            All technical reference material generated in-house is normally identifiable in your retention schedules and given specific records series. Examples are: - ADM.07 - Manuals; MAR.13 - Sales literature.            Technical reference material that originates externally will fall into this series and when assigning this series number use the date the item was superseded to calculate disposal. Ensure an Archivist reviews these records prior to destruction.</p>	1 year	6 years	7 years

## **SECTION 9:                    SPECIFIC RECORDS GROUPS (SRG)**

This section examines several groups of records that have unique characteristics. Its purpose is to help the user rationalise an approach to the application, management and disposal scheduling of each record. For further assistance see the **Schedule Index – Section 8.2**.

The following Specific Records Groups (SRG) are covered:

SRG.1: Microfilm

SRG.2: Legal Documents

SRG.3: Electronic Data Interchange (EDI)

SRG.4: Personnel History Records

SRG.5: Photographs

SRG.6: Quality Control Records

SRG.7: Health, Safety and Environment Records

SRG.8: Records Held for Security Reasons

SRG.9: Assets and Capital Expenditure Records

SRG.10: Building, Construction and Maintenance

SRG.11: Industrial Records

SRG.12: Planning Records

SRG.13: Taxation Records

### **SRG.1: MICROFILM**

Microfilm can still be used as a substitute for the paper record in some cases, although many of the advantages offered by the computer outweigh those of microfilming in the case of new systems, provided the rules of evidence can be reasonably satisfied. Microfilm can be produced in roll form, microfiche (a microfilm 'card' holding many images) or in aperture card or jacket forms (where the film roll is cut up so that images can be filed according to individual criteria.)

The question of using microfilm in preference to paper records in any given circumstances is largely one of economics, i.e. whether the total savings in storage costs will exceed the actual costs of microfilming, whether information retrieval efficiency will be better served etc.

If the records to be microfilmed are not part of an audit trail or would never be useful as evidence in a court of law to help defend or prosecute an action, then historical or economical factors are the only ones to take into account. The records being microfilmed and the microfilm itself can be destroyed when no longer useful.

If the records are part of an audit trail or may offer useful evidence in court, it is important to ensure the laws of evidence are met and documentary approvals to destroy original records, where necessary, are obtained.

**The Laws of Evidence are examined in Section 11.**

Approvals to destroy original records after microfilming may be obtained from the Australian Taxation Office or any other government body, which issues such approvals in respect of records for which they administer statutory rules.

Microfilmed images have proven to retain excellent legibility (of at least 30 years) if the microfilm is stored in metal boxes in stable atmospheric conditions.

Where a historically valuable (archival) record is microfilmed, it is desirable to retain the original document for historical preservation.

**SRG.2: LEGAL DOCUMENTS**

This section discusses a variety of legal documents, which share some common ground in disposal scheduling.

They include:-

- Trusts documents;

## **SECTION 10: INTRODUCTION TO MINIMUM LEGAL RETENTION REQUIREMENTS, LEGAL COMPLIANCE AND DUTY OF CARE**

**See Section 15 for information on individual laws.**

There are a number of Federal and State websites which contain information helpful to recordkeeping and information management. The following list provides examples of such sites:

- The Australian Tax Office  
[www.ato.gov.au](http://www.ato.gov.au)
- Australian Securities and Investments Commission  
[www.asic.gov.au](http://www.asic.gov.au)
- The Australian Privacy Commissioner (On 1 November 2010 the Office of the Privacy Commissioner was integrated into the Office of the Australian Information Commissioner (OAIC). An interim site for the OAIC is available at [www.oaic.gov.au](http://www.oaic.gov.au). The [www.privacy.gov.au](http://www.privacy.gov.au) site will be maintained until a site incorporating all OAIC material is established).
- Oznet Law (down for maintenance on 29.11.2011)  
[www.oznetlaw.net](http://www.oznetlaw.net)
- Australian Government Attorney-General's Department  
[www.ag.gov.au/](http://www.ag.gov.au/)
- ComLaw  
[www.comlaw.gov.au](http://www.comlaw.gov.au)

The authors wish to acknowledge that information from these sites was used in developing sections of this manual.

Legislation / Regulation	Description	Recordkeeping Implications
<b>10.1 Company / Corporate Laws</b>		
<b>The Corporations Act 2001</b>	<p>This is a Federal Act which is the principal legislation governing companies in Australia. It covers companies at the Federal and State levels. While it focuses on companies, it also covers some laws relating to other business entities such as partnerships, persons who operate a financial services business, a financial market or clearing and settlement facility.</p> <p><b>See Section 15 item No:1303</b></p>	<p>The Act makes specific reference to <i>Financial Records</i> that correctly record and explain the transactions and financial position of the company, registered scheme or disclosing entity. Financial records include invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; documents of prime entry; and working papers and other documents needed to explain the methods by which financial statements are made up and adjustments to be made in preparing financial statements. It also includes the working papers of audits.</p> <p>Financial records must explain and correctly record:</p> <ul style="list-style-type: none"> <li>• The company's transactions , including any as trustee; and</li> <li>• The financial position and performance.</li> </ul> <p>Financial records must enable:</p> <ul style="list-style-type: none"> <li>• True and fair accounts of the company to be prepared; and</li> <li>• The accounts to be conveniently and properly audited in accordance with Corporations Law.</li> </ul> <p>Financial records are to be retained for <b>7</b> years after the completion of the transactions to which they relate.</p> <p>Electronic storage is allowed provided that:</p> <ul style="list-style-type: none"> <li>• The records can be converted into hard copy; and</li> <li>• The hardcopy must be made available within a reasonable time s.288.</li> </ul>



## SECTION 11: THE LAWS OF EVIDENCE

### 11.1 OVERVIEW

The *Laws of Evidence* are a complex, complicated and lengthy set of rules which govern the use and admissibility of testimony, exhibits and other documentary material in judicial or administrative proceedings, for example, in a court of law.

Effective document retention and retrieval policies and procedures will assist organisations in responding to any proceedings that may involve the production of documents as evidence. Documentary evidence may be needed to assert rights or to mount a defence in many contexts. For example:

- A contractual dispute;
- Responding to coercive powers such as a subpoena for documents;
- Protection of core business such as asserting or protecting a trademark, patent, copyright or design;
- Defence against allegations of breach of duty in areas of statutory obligation such as industrial relations and occupational health and safety;
- Defence against levying of penalties by regulatory bodies; and
- Defence against actions for damages where breach of statutory or other duty is alleged.

The general rule in court proceedings is that the **original document** must be produced as evidence. However, this rule is sometimes relaxed by statutory provisions thus enabling copies of extracts from books relating to the affairs of a corporation, and some other matters, to be admissible.

#### Admissibility

Usually, seeking the admissibility of documents as part of evidence is about asserting the truth of the information contained in it rather than just asserting the existence of the document and the statements in it.

Admissibility requirements differ between jurisdictions. *Business records provisions*, which are not uniform, may be found in New South Wales, Tasmania, the Northern Territory, the Australian Capital Territory and the Federal courts. Examples of these provisions are:

- The requirement to show that the document was made or adopted by relevant persons; or
- Showing that it forms part of a record made in the course of business from information supplied by a person with personal knowledge of the facts stated in the document.

The courts are given wide discretion in excluding documents which parties attempt to bring into evidence under these provisions.

#### Authentication

In order to be admissible:

- Original documents must be authenticated by oral evidence; and
- Information stored on tape recorders, cameras, cameras on mobile phones, photographs and video recorders (including those on mobile phones) must be authenticated.



**Please note:** Authentication requirements differ between jurisdictions.

#### Use of Copies

No jurisdiction allows the use of apparent copies where no witness is available to establish that the apparent copy is actually a copy. To mitigate the potential issues arising from such situations, organizations should ensure that:

- Documents are stored in such a way that their source and creators can be identified precisely; and
- Copies are made and stored with the rules for use of copies in evidence clearly in mind.

## SECTION 12: INTRODUCTION TO LIMITATIONS OF ACTIONS

### 12.1 LIMITATIONS ACT

The law has set limitations on the periods within which an offended party can initiate court actions. Once the set period of limitation has expired, the party which sustained the injury or loss cannot sue. Similarly, the party which caused the injury or loss can no longer be held accountable.

The limitations laws are not concerned with imposing record retention periods. However, organisations may find it advantageous to select and keep, for the period of the limitation, those records that might be useful in the event of having to prosecute or defend an action.

This section provides an overview of the record retention issues which may need to be addressed to satisfy limitations interests in an organisation.

#### Limitation Acts

All Australian States and Territories have limitations laws, namely:

#### Australian Capital Territory

- Limitation Act 1985

#### New South Wales

- Limitation Act 1969

#### Northern Territory

- Limitation Act

#### Queensland

- Limitation of Actions Act 1974

#### South Australia

- Limitation of Actions Act 1936

#### Tasmania

- Limitation Act 1974

#### Victoria

- Limitation of Actions Act 1958

#### Western Australia

- Limitation Act 1935 (this Act was repealed by the Limitation Legislation Amendment and Repeal Act 2005, but its provisions continue to apply to certain causes of action.)
- Limitation Act 2005



**Please note:** Limitation periods are not dealt with exclusively or exhaustively by these Limitations Acts. Other Acts have limitation periods embodied in them.

#### 12.1.1 LIMITATION PERIODS

In the main, limitation periods are set at six years or less. Most of those provide relatively short periods for an offended party to initiate action, for example, one year or less. Retention requirements for other issues are often more lengthy than this.

While there are many different limitation periods built into Australian law, an organisation may find it more cost-effective to adopt a single workable retention period rather than set periods on a file-by-file basis. As files should

## SECTION 13: INDEX OF BUSINESS GROUPS AND LAW GROUPS

To locate a particular law first look up the subject group in the following list to find the list of laws pertaining to that group. Each law in the group is followed by a number in parentheses. Then look up that law number in **Section 15 - List of Laws**.

### All Business Groups

The Attention of ALL businesses is drawn to the following list of laws, all of which impose a record-keeping requirement. It is also recommended that readers be aware of any industry specific standard which may impose a Retention and Disposal requirement on records kept by an organisation. Please also refer to **Section 5: Records Management Standards and Benchmarks**.

#### See Also **Anti-Discrimination Laws**

#### **Environmental Laws**

#### **Financial Institutions**

#### **Industrial Relation Laws**

#### **Insurance Industry**

#### **Leave Laws**

#### **Occupational Health and Safety Laws**

#### **Payroll Tax Laws**

#### **Stamp Duty Laws**

#### **Superannuation Laws**

#### **Training Laws**

#### **Workers Compensation Laws**

#### **Section 10.1: Company / Corporate Laws**

#### **Section 10.2: Taxation Laws**

#### **Section 10.3: Superannuation Laws**

#### **Section 10.4: Industrial Relations /Workplace Relations Law**

#### **Section 10.5: Occupational Health and Safety (Work Health and Safety)**

#### **Section 10.6: Workers Compensation and Accident Compensation Law**

#### **Section 10.7: Privacy Laws**

#### **Section 10.8: Legal Compliance and Duty of Care**

- Fed - A New Tax System (Family Assistance) (Administration) Act 1999 (36)
- Fed - A New Tax System (Goods and Services Tax) Act 1999 (37)
- Fed - A New Tax System (Goods and Services Tax Administration) Act 1999 (1181) – this Amending Act has been incorporated into the Taxation Administration Act 1953 (see law 753)
- Fed - Acts Interpretation Act 1901 (2362)
- Fed - Bankruptcy Act 1966 (780)
- Fed - Bankruptcy Rules 1968 (781) – these rules ceased on 16 December 1996
- Fed - Close Corporations Act 1989 (730) – repealed by First Corporate Law Simplification Act 1995. This Act no longer contains provisions relating to record keeping
- Fed - Companies (Acquisition of Shares) Act 1980 (181) - repealed by Corporations (Repeals, Consequential and Transitions) Act 2001. This Act no longer contains provisions relevant to record keeping. Instead please refer to the CORPORATIONS ACT 2001 (see law 1303)
- Fed - Companies Code 1982 (133) – prior to 2001 each State and Territory of Australia enacted their own corporations legislation. In 2001 they each referred their powers to the Commonwealth who enacted the Corporations Act 2001, which now applies. Any Federal or State legislation that existed prior to this has either been repealed or no longer applies. This Code is one of those. Please refer to the Corporations Act 2001 (see law 1303)
- Fed - Company Law Review Act 1998 (190) - this Act amends the Corporations Law 1989. This amending Act has been incorporated into the CORPORATIONS LAW 1989 (see law 2)
- Fed - Copyright Act 1968 (2304)
- Fed - Corporations Act 2001 (1303)
- Fed - Corporations (Aboriginal and Torres Strait Islander) Act 2006 (2129)
- Fed - Corporations Law 1989 (2) – repealed by Corporations Act 2001 (see law 1303)
- Fed - Corporations Regulations 1989 (273) – repealed by Corporations Regulations 2001 (see law 1304)
- Fed - Corporations Regulations 2001 (1304)
- Fed - Debts Tax Administration Act 1982 (732) - repealed by Tax Laws Amendment (Repeal of Inoperative Provisions) Act 2006. This Act no longer contains provisions relevant to record keeping
- Fed - Fair Work Act 2009 (2441)
- Fed - Fair Work Regulations 2009 (2501)
- Fed - Fringe Benefits Tax Assessment Act 1986 (121)
- Fed - Income Tax Assessment Act 1936 (3)
- Fed - Income Tax Assessment Act 1997 (930) - **Note:** This Act contains provisions of the Income Tax Assessment Act 1936 in a rewritten form. It will eventually replace that Act. The first stage of this Act took effect on 1 July 1997 and is expected to take several years to complete. Meanwhile the Income Tax Assessment Act 1936 remains valid as well as the completed sections of this new Act
- Fed - Income Tax Regulations 1936 (112) - section 99I was repealed by Income Tax Amendment Regulations 2007 (No. 1). This Regulation no longer contains provisions relevant to record keeping

## SECTION 14: INDEX OF LAWS BY STATE

### 14.1 FEDERAL

- Fed - A New Tax System (Family Assistance) (Administration) Act 1999 (36)
- Fed - A New Tax System (Goods and Services Tax) Act 1999 (37)
- Fed - A New Tax System (Goods and Services Tax Administration) Act 1999 (1181) – this amending Act has been incorporated into the Taxation Administration Act 1953 (see law 753)
- Fed - Aboriginal Councils and Associations Act 1976 (718) - repealed by Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006. This Act no longer contains provisions relevant to record keeping. Instead please refer to Corporations (Aboriginal and Torres Strait Islander) Act 2006 (see law 2129)
- Fed - Aboriginal Councils and Associations Regulations 1978 (778) - due to the repeal of the Aboriginal Councils and Associations Act 1976 by the Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006 these Regulations are now repealed. These Regulations no longer contain provisions relevant to record keeping
- Fed - Aboriginal Land Rights (Northern Territory) Act 1976 (719)
- Fed - Acts Interpretation Act 1901 (2362)
- Fed - Aged Care Act 1997 (1)
- Fed - Agricultural and Veterinary Chemicals (Administration) Act 1992 (19)
- Fed - Agricultural and Veterinary Chemicals Code Act 1994 (721)
- Fed - Agricultural and Veterinary Chemicals Code Regulations 1995 (800)
- Fed - Air Navigation Act 1920 (1582)
- Fed - Air Navigation (Aircraft Noise) 1984 (2455)
- Fed - Air Navigation Regulations 1947 (779)
- Fed - Airports Act 1996 (2413)
- Fed - Airports (Control Of On-Airport Activities) Regulations 1997 (1889)
- Fed - Airports (Environment Protection) Regulations 1997 (2280)
- Fed - Airports Regulations 1997 (1379)
- Fed - Antarctic Marine Living Resources Conservation Act 1981 (2414)
- Fed - Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (2163)
- Fed - Australian Radiation Protection and Nuclear Safety Act 1998 (2453)
- Fed - Australian Radiation Protection and Nuclear Safety Regulations 1999 (2452)
- Fed - Australian Wine and Brandy Corporation Act 1980 (2298)
- Fed - Aviation Transport Security Act 2004 (2282)
- Fed - Aviation Transport Security Regulations 2005 (1861)
- Fed - Banking Act 1959 (722)
- Fed - Bankruptcy Act 1966 (780)
- Fed - Bankruptcy Regulations 1996 (1965)
- Fed - Bankruptcy Rules 1968 (781) – these Rules ceased on 16 December 1996
- Fed - Bounty and Capitalisation Grants (Textile Yarns) Act 1981 (723) - repealed by Statute Law Revision Act 2006. This Act no longer contains provisions relevant to record keeping
- Fed - Bounty (Bed Sheeting) Act 1977 (724) - repealed by Statute Law Revision Act 2006. This Act no longer contains provisions relevant to record keeping
- Fed - Bounty (Books) Act 1986 (725) - repealed by Statute Law Revision Act 2006. This Act no longer contains provisions relevant to record keeping
- Fed - Bounty (Citric Acid) 1991 (1583) - repealed by Statute Law Revision Act 2006. This Act no longer contains provisions relevant to record keeping
- Fed - Bounty (Computers) Act 1984 (42) - repealed by Statute Law Revision Act 2006. This Act no longer contains provisions relevant to record keeping
- Fed - Bounty (Fuel Ethanol) Act 1994 (1584) - repealed by Statute Law Revision Act 2006. This Act no longer contains provisions relevant to record keeping
- Fed - Bounty (Machine Tools and Robots) Act 1985 (55) - repealed by Statute Law Revision Act 2006. This Act no longer contains provisions relevant to record keeping
- Fed - Bounty (Photographic Film) Act 1989 (1585) - repealed by Statute Law Revision Act 2006. This Act no longer contains provisions relevant to record keeping
- Fed - Bounty (Printed Fabrics) Act 1981 (62) - repealed by Statute Law Revision Act 2006. This Act no longer contains provisions relevant to record keeping
- Fed - Bounty (Ships) Act 1989 (63) - repealed by Statute Law Revision Act 2007. This Act no longer contains provisions relevant to record keeping
- Fed - Broadcasting Services Act 1992 (75)
- Fed - Carriage of Goods by Sea Act 1991 (726)
- Fed - Chemical Weapons (Prohibition) Act 1994 (728)
- Fed - Cheques Act 1986 (782)
- Fed - Child Support (Registration and Collection) Act 1988 (729)
- Fed - Civil Aviation Regulations 1988 (783) – this regulation is still in force, even though there is an 1998 version of the same name available (1422)

## SECTION 15: LIST OF LAWS

These laws are the result of research carried out up to the date of this publication. There may be other laws, regulations, etc., which have not yet been researched and there may be errors and omissions in the laws listed. The list is provided for guidance only. The reader is advised to verify and validate the content of any law before applying retention periods.

### Explanatory notes.

- (i) The laws are numbered sequentially as they are researched. (See **Sections 13 and 14** for indexes of laws in which each law is cross-referenced to its sequential number).
- (ii) The following list of laws excludes those laws that relate to the retention of public records. Information on the retention of public records can be obtained from federal and state public records or archives offices. This list applies only to the private or business sector.
- (iii) At the foot of each page there is a quick reference legend to the four entries listed beneath each law.

**(a) Businesses affected.** This entry includes corporations, individuals and other organisations.

**(b) Records affected.** Record descriptions are summarised. Capitals (A) (B) and (C) etc. are used to separate different records mentioned in the law. These same capitals are also used in the remaining entries to differentiate between other characteristics of those records.

**(c) Retention period.** This entry identifies, first, the minimum retention period specified by the law. Often, however, the law does not mention a retention period and sometimes a given retention period can be overlapped by a longer retention period dictated by another law or by the prudent application of limitations of actions laws. The authors have included a suggested retention period where deemed appropriate.

**(d) Penalty.** The final entry may be expressed in Australian dollars, penalty units or terms of imprisonment. In some cases the penalty may be subject to the decision of a court or tribunal. A penalty unit may vary in value from time to time. Up-to-date information can be obtained from the Attorney General's Department. This information is also listed in the glossary.

### PENALTY UNITS (PU)

In law a penalty for an offence may be expressed in a dollar value or as a number of penalty units. If a penalty for an offence is expressed as a number of penalty units the penalty is a fine of that number of penalty units. For example: The value of the penalty unit for the offence is \$100 and the penalty unit is 10 PU. The fine is therefore \$1,000 (\$100 x 10). The following table shows the value of the penalty unit for each jurisdiction as well as the name of the legislation that provides for that value. It is important to note that the value does differ from jurisdiction to jurisdiction:

JURISDICTION	NAME OF LEGISLATION	VALUE (AS AT 01/11/11)
Fed	Crimes Act 1914	\$110
ACT	Legislation Act 2001	\$550 (Corporations); \$110 (Individuals)
NSW	Crimes (Sentencing Procedure) Act 1999	\$110
NT	Penalty Units Act 2009	\$130
Qld	Penalties and Sentences Act 1992	\$100
SA	Do not use penalty units, use dollar value instead	
Tas	Penalty Units and Other Penalties Act 1987	\$120
Vic	Sentencing Act 1991	\$100
WA	Do not use penalty units, use dollar value instead	

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#### Legend:

(a) Businesses affected (b) Records affected (c) Retention Period (d) Penalty

- 1 (Fed) AGED CARE ACT 1997, Sections 88.1-88.2, 89.1:**
- (a) (A), (B) and (C) Approved providers; (D) Former approved providers
  - (b) (A) Records that verify claims for payments of subsidy (s.88.1); (B) Records that enable proper assessments to be made of whether the provider has complied with its responsibilities (s.88.1); (C) Records of the kind specified in the Records Principles which may include: care recipient assessment and classification records; appraisal and re-appraisal records; individual care plans for care recipients; medical records, progress notes and other clinical records of care recipients; schedules of fees and charges (including retention amounts relating to accommodation bonds) for past and current care recipients; agreements with the care recipient; accounts of care recipients; records relating to the approved provider meeting prudential requirements for accommodation bonds; records relating to the payment of accommodation bonds (including periodic payments) or accommodation charges; and records of each recipient's entry, discharge and leave arrangements (including death certificates) (s.88.2); (D) Records kept when an approved provider must be retained (s.89.1)
  - (c) (A) and (B) 3 years after the 30 June of the year in which the record was made; (C) Not indicated; (D) 3 years after ceasing to be an approved provider
  - (d) (A) & (B) Up to 30 PU; (C) Sanctions may be imposed; (D) 30 PU
- 2 (Fed) CORPORATIONS LAW, 1989, Section 289 (Repealed by Corporations Act 2001) (see law 1303)**
- 3 (Fed) INCOME TAX ASSESSMENT ACT 1936, Sections 102AAZG, 262A, 317, 451-452, 456-459A, 462-468:**
- (a) (A) Persons who are attributable taxpayers in relation to a controlled foreign company (CFC) at the end of a statutory accounting period of the CFC and the CFC has attributable income for the statutory accounting period in respect of the person; (D) Persons carrying on a business; (F) Persons who are attributable taxpayers in relation to the year of the income of that person and in relation to a particular trust estate; (K) Companies that have substantiation requirements in relation to active income tests; (L) Partnerships that have substantiation requirements in relation to active income tests; (M) Where section 457(1) applies to a change of residence of a CFC and, at the residence-change time referred to in that section, a person is an attributable taxpayer in relation to the CFC; (N) Where section 459A(1) applies in relation to an amount (a trigger amount) included in the assessable income of an Australian partnership or of an Australian trust as mentioned in paragraph 459A(1)(a) and, at the time referred to in whichever subparagraph of paragraph 459A(1)(c) is applicable, a person is an attributable taxpayer in relation to the CFC or the controlled foreign trust (CFT) mentioned in that paragraph.
  - (b) (A) Records of the acts, transactions and other circumstances that resulted in the person being an attributable taxpayer in relation to the CFC at the time; and the basis of the calculation of the direct attribution interest, and the aggregate of the direct attribution interests, in the CFC held by the person at the time; the basis of the calculation of the attribution percentage of the person in relation to the CFC at the time; and the basis of the calculation of the amount (including a nil amount) included in the assessable income of the person under s.456 in relation to the CFC's attributable income for the statutory accounting period in respect of the person (s.462); (D) Records that record and explain all transactions and other acts engaged by the person that are relevant for any purpose of this Act. These records include any documents that are relevant for the purpose of ascertaining the person's income and expenditure; and any documents containing particulars of any election, choice, estimate, determination or calculation made. The records include records required to be kept for the purposes of section 820-960, 820-980 or 820-985 of the Income Tax Assessment Act 1997 (s.262A); (F) Records containing particulars of the acts, transactions and other circumstances that resulted in that person becoming an attributable taxpayer including showing the basis of the calculation of the attributable income of the trust estate and the basis of the calculation of the amounts included in the assessable income of the person (s.102AAZG); (K) The substantiation requirements in relation to a statutory accounting period are as follows: general accounting records as correctly record and explain the matters, transactions, acts and operations that are relevant to the preparation of recognised accounts of the company for the statutory accounting period. The general accounting records must be so kept as to enable the recognised accounts of the company to be prepared (s.451); (L) The substantiation requirements in relation to a statutory accounting period are as follows: general accounting records as correctly record and explain the matters, transactions, acts and operations that are relevant to the preparation of recognised accounts of the partnership for the statutory accounting period. The general accounting records must be so kept as to enable the recognised accounts of the partnership to be prepared (s.452); (M) Records of the acts, transaction and other circumstances that resulted in the person being an attributable taxpayer in relation to the CFC at that time; the basis of the calculation of the direct attribution interest, and the aggregate of the direct attribution interests, in the CFC held by the person at the time; the basis of the calculation of the attribution percentage of the person in relation to the CFC at the time; and the basis of the calculation of the amount (including a nil amount) included in the assessable income of the person under section 457 in relation to the change of residence concerned (s.462A); (N) Records of the acts, transactions and other circumstances that resulted in the person being an attributable taxpayer in relation to the CFC or the CFT at that time; the basis of the calculation of the direct attribution interest, and the aggregate of the direct attribution interests, in the CFC or the CFT held by the person at the time; the basis of the calculation of the attribution percentage of the person in relation to the CFC or the CFT at the time; and the basis of the calculation of the amount (including a nil amount) that, apart from section 459A(2), would be included in the assessable income of the person under section 459A(1) in relation to the trigger amount (s.464A).
  - (c) (A) & (F) Not indicated; (K) & (L) 5 years; (D), (M) & (N) 5 years after the records were prepared or obtained or the

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**Legend:**

**(a) Businesses affected (b) Records affected (c) Retention Period (d) Penalty**

- completion of the transactions or acts to which these records relate, whichever is the later  
(d) (A), (F), (M) & (N) Up to 30 PU; (K) & (L) Not indicated; (D) 30 PU. Note: There is an administrative penalty if you do not keep or retain records under section 288.25 in Schedule I to the Taxation Administration Act 1953
- 4 (Fed) SALES TAX ASSESSMENT ACT 1992, Section 127 (Repealed by Tax Laws Amendment (Repeal of Inoperative Provisions) Act 2006. This Act no longer contains provisions relevant to record keeping)**
- 5 (Fed) TOBACCO CHARGES ASSESSMENT ACT 1955, Sections 13-14, 29 (Repealed by Tax Laws Amendment (Repeal of Inoperative Provisions) Act 2006. This Act no longer contains provisions relevant to record keeping)**
- 6 (Fed) WOOL TAX (ADMINISTRATION) ACT 1964, Sections 13-16A, 28-33, 61, 89 (Repealed by Tax Laws Amendment (Repeal of Inoperative Provisions) Act 2006. This Act no longer contains provisions relevant to record keeping)**
- 7 (ACT) TAXATION (ADMINISTRATION) ORDINANCE 1987, Section 96 (1) (Repealed by Taxation Administration Act 1999) (see law 32)**
- 8 (NSW) ANNUAL HOLIDAYS ACT 1944, Sections 9, 11:**
- (a) All employers  
(b) Holiday records (s.9)  
(c) 6 years  
(d) Up to 10 PU
- 9 (NSW) DANGEROUS GOODS ACT 1975, Sections 8-11, 17-21, 23, 27, 30 (Repealed by Occupational Health and Safety Amendment (Dangerous Goods) Act 2003. This Act no longer contains provisions relevant to record keeping)**
- 10 (NSW) SHOPS AND INDUSTRIES ACT 1962, Sections 108, 113, 147 (Sections 108 and 113, which related to hairdressers, were repealed by Hairdressers Act 2003. This Act no longer contains provisions relevant to record keeping. Instead please refer to the Hairdressers Act 2003 (see law 1691))**
- 11 (Qld) LIQUOR ACT 1992, Sections 58, 100, 171, 217:**
- (a) Organisations/persons involved in the purchase and sale of liquor;  
(b) (A) Licence (commercial hotel; commercial special facility; commercial other; community club; and community other) (s.58); (B) Records of all transactions that involve the purchase or other acquisition of liquor by or for the licensee; and the sale or supply of liquor by or on behalf of the licensee (s.217); (C) Permit (commercial public event; community liquor; extended hours; restricted liquor; adult entertainment; and restricted area) (s.100)  
(c) (A) and (C) Not indicated (suggest permanently) \*; (B) 6 years  
(d) (A) & (C) Up to 500 PU (First offence), Up to 700 PU or imprisonment for 6 months (Second offence), Up to 1000 PU or imprisonment for 18 months (Third and subsequent offence); (B) Up to 350 PU
- 12 (NSW) GAS SUPPLY ACT 1996, Sections 5, 33, 33Q, 34:**
- (a) (A) & (B) Persons who operate a distribution pipeline for the purpose of conveying natural gas to any other person or supply natural gas to any other person through a distribution pipeline; (C) Persons who operate a distribution system for the purpose of conveying liquefied petroleum gas or any other gas other than natural gas to any other person; (D) Gas marketers (other than suppliers) who introduce a small retail customer to a supplier, or arranges or facilitates a customer supply contract between a customer and a supplier  
(b) (A) Authorisation (s.5); (B) Records and returns as may be specified by the Tribunal in order to prove compliance with the Act (s.33); (C) Distributor's licence (s.34); (D) Provide the supplier with a written statement to the effect that the gas marketer has complied with the Marketing Code of Conduct with respect to the customer (s.33Q)  
(c) (A) & (C) Not indicated (suggest permanently) \*; (B) & (D) Not indicated  
(d) (A) & (C) Up to 500 PU (Corporations), Up to 50 PU (Individuals); (B) Not indicated; (D) Up to 100 PU
- 13 (NSW) LONG SERVICE LEAVE ACT 1955, Sections 4A, 8, 10:**
- (a) All employers  
(b) (A) Long service leave records (s.8); (B) Notify the Building and Construction Industry Long Service Payments Corporation of its intention to pay employee before paying if the employee is, or was, employed in building and construction work (s.4A)  
(c) (A) 6 years; (B) Not indicated  
(d) (A) and (B) Up to 20 PU
- 14 (NSW) PAYROLL TAX ACT 1971, Sections 13, 44 (Repealed by Payroll Tax Act 2007) (see law 2111)**

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**Legend:**

**(a) Businesses affected (b) Records affected (c) Retention Period (d) Penalty**

## SECTION 16: CHANGES TO LAWS SECTION SINCE LAST EDITION

The following list identifies laws added, laws repealed and laws changed since the last edition.

**Please note**, this section does not denote the ONLY changes made to the manual since the last edition, only to the legislation – **Section 15: List of Laws**, and of course the associated indexes in **Section 13: Index of Business Groups and Law Groups** and **Section 14: Index of Laws by State**.

### PENALTY UNITS (PU)

In law a penalty for an offence may be expressed in a dollar value or as a number of penalty units. If a penalty for an offence is expressed as a number of penalty units the penalty is a fine of that number of penalty units. For example: The value of the penalty unit for the offence is \$100 and the penalty unit is 10 PU. The fine is therefore \$1,000 (\$100 x 10). The following table shows the value of the penalty unit for each jurisdiction as well as the name of the legislation that provides for that value. It is important to note that the value does differ from jurisdiction to jurisdiction:

JURISDICTION	NAME OF LEGISLATION	VALUE (AS AT 01/11/11)
ACT	Legislation Act 2001	\$550 (Corporations); \$110 (Individuals)

Please note: The ACT Jurisdiction has changed the value of the penalty units imposed on both Corporations and Individuals. All other jurisdictions remain the same.

### 16.1 FEDERAL

#### Added Laws:-

- COMPETITION AND CONSUMER ACT 2010 (2553)
- NATIONAL VOCATIONAL EDUCATION AND TRAINING REGULATOR ACT 2011 (2539)
- OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (GREENHOUSE GAS INJECTION AND STORAGE) REGULATIONS 2011 (2550)
- OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (RESOURCE MANAGEMENT AND ADMINISTRATION) REGULATIONS 2011 (2305)

#### Repealed Laws:-

- OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (MANAGEMENT OF GREENHOUSE GAS WELL OPERATIONS) REGULATIONS 2010 (2418), Sections 2.1-2.2, 4.1, 6.1 (Repealed by Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011) (see law 2305)
- PETROLEUM (SUBMERGED LANDS) (PIPELINES) REGULATIONS 2001 (1804), Sections 28, 40-41 (Repealed by Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011) (see law 2305)

**The content of these records have been changed (sections have been removed or changed and / or contents of the records have been altered):-**

- AIRPORTS REGULATIONS 1997 (1379), Sections 2.15, 3.22-3.23, 7.03, 7.07-7.08, 8.02-8.03, Schedule 2
- PRIMARY INDUSTRIES LEVIES AND CHARGES COLLECTION REGULATIONS 1991 (803), Sections 12, Schedules 2-37

**Additional sections containing record keeping requirements have been added to the following pieces of legislation:-**

- AVIATION TRANSPORT SECURITY REGULATIONS 2005 (1861), Sections 2.01, 2.12-2.23, 2.30-2.45, 2.47, 2.50-2.61, 2.75, 2.79-2.86, 4.14, 4.21, 6.01, 6.23-6.25
- BROADCASTING SERVICES ACT 1992 (75), Sections 121FF-121FG, 121FJ, 121FLE-121FLF, 205B-205BA, 209, Schedule 2, items 1, 4-5
- FISHERIES MANAGEMENT REGULATIONS 1992 (85), Sections 9ZT, 10AA-10AD, 30
- NATIVE TITLE ACT 1993 (296), Sections 203B, 203DA, 203FC
- OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006 (2283), Sections 97, 160, 193, 210, 228, 284, 697-707, 723-724, 790, Schedule 3, part 2, items 9-13, Schedule 3, part 3, items 27-28, 41, Schedule 3, part 5, items 82-83
- PROTECTION OF THE SEA (PREVENTION OF POLLUTION FROM SHIPS) ACT 1983 (746), Sections 11-12, 14, 23, 25, 26FA-26FC, 26FEJ, 26FET, 26FEV

**Additional information has been added to the contents of these records.**

**Note: This includes changes made to parts (a) (b) (c) and (d). However, not all records will have changes made to all parts. Additional sections have not been added to the record keeping components of the legislation:-**

- ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) ACT 1976 (719)
- AGED CARE ACT 1997 (1)
- BANKING ACT 1959 (722)
- BANKRUPTCY ACT 1966 (780)
- ENVIRONMENT PROTECTION (SEA DUMPING) ACT 1981 (283)
- OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS MANAGEMENT ACT 1989 (1905)

## 16.2 AUSTRALIAN CAPITAL TERRITORY

### Added Laws:-

- PAYROLL TAX ACT 2011 (2566)

### Repealed Laws:-

- CREDIT ACT 1985 (391), Sections 31, 33-34, 43, 61, 91, 136, 141-142, 248 (Repealed by Justice and Community Safety Legislation Amendment Act 2010 (No. 3). This Act no longer contains provisions relevant to record keeping.)
- DOOR-TO-DOOR TRADING ACT 1991 (643), Section 7 (Repealed by Fair Trading (Australian Consumer Law) Amendment Act 2010. This Act no longer contains provisions relevant to record keeping. Instead please refer to the Fair Trading (Australian Consumer Law) Act 1992)
- FAIR TRADING (CONSUMER AFFAIRS) ACT 1973 (390), Section 30 (Repealed by Fair Trading (Australian Consumer Law) Amendment Act 2010. This Act no longer contains provisions relevant to record keeping. Instead please refer to the Fair Trading (Australian Consumer Law) Act 1992)
- LAY-BY SALES AGREEMENT ACT 1963 (413), Sections 6-7, 12 (Repealed by Fair Trading (Australian Consumer Law) Amendment Act 2010. This Act no longer contains provisions relevant to record keeping. Instead please refer to the Fair Trading (Australian Consumer Law) Act 1992)
- PROCEEDS OF CRIME ACT 1991 (404), Sections 71-73 (Repealed by Confiscation of Criminal Assets Act 2003. This Act no longer contains provisions relevant to record keeping.)

### Legislative Name Changes:-

- FAIR TRADING (AUSTRALIAN CONSUMER LAW) ACT 1992 (646) Note: This Act was previously called Fair Trading Act 1992

### **Additional sections containing record keeping requirements have been added to the following pieces of legislation:-**

- ANIMAL DISEASES ACT 2005 (1936), Sections 13, 17, 24A-24C, 45, 47, 49:
- PAYROLL TAX ACT 1987 (73) (Note: The requirements of the (ACT) Taxation Administration Act 1999 apply to payroll tax on taxable wages paid or payable before 1 July 2011) (see law 32) (Note: The Payroll Tax Act 2011 applies to payroll tax on taxable wages paid or payable on or after 1 July 2011) (see law 2566)
- SALE OF MOTOR VEHICLES ACT 1977 (410), Sections 6A-7B, 15-16, 20-21, 25-26, 31, 33, 38-39:
- WORKERS COMPENSATION ACT 1951 (673), Sections 92, 147-147A, 149, 152:
- WORKERS COMPENSATION REGULATION 2002 (1421), Section 9:

### **Additional information has been added to the contents of these records.**

**Note: This includes changes made to parts (a) (b) (c) and (d). However, not all records will have changes made to all parts. Additional sections have not been added to the record keeping components of the legislation:-**

- ADOPTION ACT 1993 (379)
- DISCRIMINATION ACT 1991 (392)
- PEST PLANTS AND ANIMALS ACT 2005 (1998)
- WORK SAFETY REGULATION 2009 (2385)

## 16.3 NEW SOUTH WALES

### Added Laws:-

- APPRENTICESHIP AND TRAINEESHIP ACT 2001 (2527)
- BUILDING AND CONSTRUCTION INDUSTRY LONG SERVICE PAYMENTS REGULATION 2011 (2558)
- CHILDREN (EDUCATION AND CARE SERVICES) NATIONAL LAW (NSW) ACT 2010 (2519)
- CONTRACT CLEANING INDUSTRY (PORTABLE LONG SERVICE LEAVE SCHEME) ACT 2010 (2570)
- DRUG MISUSE AND TRAFFICKING REGULATION 2006 (2559)
- FUNERAL FUNDS REGULATION 2011 (2560)
- HEALTH PRACTITIONER REGULATION (NEW SOUTH WALES) REGULATION 2010 (2511)
- MARINE SAFETY (COMMERCIAL VESSELS) REGULATION 2010 (2522)
- MINING REGULATION 2010 (2510)

- MOTOR VEHICLE REPAIRS REGULATION 2011 (2561)
- OCCUPATIONAL LICENSING NATIONAL LAW (NSW) ACT 2010 (2544)
- RESIDENTIAL TENANCIES ACT 2010 (2537)
- RESIDENTIAL TENANCIES REGULATION 2010 (2538)
- WATER MANAGEMENT (GENERAL) REGULATION 2011 (2567)
- WORKERS COMPENSATION REGULATION 2010 (2520)

**Repealed Laws:-**

- BANKS AND BANK HOLIDAYS ACT 1912 (260), Sections 4-7, 9 (Repealed by Public Holidays Act 2010. This Act no longer contains provisions relevant to record keeping.)
- BUILDING AND CONSTRUCTION INDUSTRY LONG SERVICE PAYMENTS REGULATION 2006 (2041), Sections 15-16 (Under s.10(2) of the Subordinate Legislation Act 1989, this Regulation was replaced by Building and Construction Industry Long Service Payments Regulation 2011) (see law 2558)
- DRUG MISUSE AND TRAFFICKING REGULATION 2006 (2115), Sections 10-11A (Under s.10(2) of the Subordinate Legislation Act 1989, this Regulation was replaced by Drug Misuse and Trafficking Regulation 2011) (see law 2559)
- FUNERAL FUNDS REGULATION 2006 (2043), Sections 13-15, 19 (Under s.10(2) of the Subordinate Legislation Act 1989, this Regulation was replaced by Funeral Funds Regulation 2011) (see law 2560)
- LANDLORD AND TENANT (RENTAL BONDS) ACT 1977 (1977), Sections 12-13, 16 (Repealed by Residential Tenancies Act 2010) (see law 2537)
- MOTOR VEHICLE REPAIRS REGULATION 1999 (1328), Sections 5-11 (Under s.10(2) of the Subordinate Legislation Act 1989, this Regulation was replaced by Motor Vehicle Repairs Regulation 2011) (see law 2561)
- OPTICAL DISPENSERS ACT 1963 (522), Sections 22, 28 (Repealed by Occupational Licensing Legislation Amendment (Regulatory Reform) Act 2009. This Act no longer contains provisions relevant to record keeping.)
- PETROLEUM (SUBMERGED LANDS) ACT 1982 (330), Sections 20, 39A, 39I, 41, 65, 123 (The title of this Act was changed to Petroleum (Offshore) Act 1982) (see law 2444)
- RESIDENTIAL TENANCIES ACT 1987 (991), Sections 17, 40-41, 125 (Repealed by Residential Tenancies Act 2010) (see law 2537)
- VOCATIONAL EDUCATION AND TRAINING ACT 2005 (1990), Sections 10-11, 24-25 (Repealed by Vocational Education and Training (Commonwealth Powers) Act 2010. This Act no longer contains provisions relevant to record keeping.)
- WATER MANAGEMENT (GENERAL) REGULATION 2004 (2015), Sections 88-91, 97, 99, 103 (Repealed by Water Management (General) Regulation 2011) (see law 2567)
- WORKERS COMPENSATION REGULATION 2003 (1663), Sections 31M, 196 (Repealed by Workers Compensation Regulation 2010) (see law 2520)
- WORKPLACE INJURY MANAGEMENT AND WORKERS COMPENSATION REGULATION 2002 (492), Sections 21, 33 (Repealed by s.10(2) of the Subordinate Legislation Act 1989. This Regulation no longer contains provisions relevant to record keeping.)

**Legislative Name Changes:-**

- PETROLEUM (OFFSHORE) ACT 1982 (2444) Note: This Act was previously called Petroleum (Submerged Lands) Act 1982

**The content of these records have been changed (sections have been removed or changed and / or contents of the records have been altered):-**

- BIOFUELS ACT 2007 (2143), Sections 11-13, 19, 21:
- BIOFUELS REGULATION 2007 (2144), Sections 5-6:
- COMMERCIAL AGENTS AND PRIVATE INQUIRY AGENTS REGULATION 2006 (1992), Sections 12, 27:
- FAIR TRADING ACT 1987 (510), Sections 23D, 23I, 50, 55:
- MARINE SAFETY ACT 1998 (1621), Sections 51, 57-59, 62-63, 72, 98-100, 102:
- MENTAL HEALTH REGULATION 2007 (2154), Sections 36-43:
- OCCUPATIONAL HEALTH AND SAFETY REGULATION 2001 (1559), Sections 3, 13, 38, 44, 65, 78, 81F, 96-97, 105-106, 122-123, 131-133, 143-144, 150-151, 155, 160, 162, 167-169, 171-172, 174, 174J-174K, 174M, 174Q, 174ZG, 174ZN, 174ZV-174ZX, 175Y, 175ZA, 175ZC-175ZD, 203, 223, 228, 264F-264H, 266, 270, 275, 317-318, 330B, 332, 342-343:
- PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2005 (1923), Sections 12-16, 22-25, 32-37:
- TRUSTEE COMPANIES ACT 1964 (997), Section 26:

**Additional sections containing record keeping requirements have been added to the following pieces of legislation:-**

- CONVEYANCERS LICENSING ACT 2003 (1672), Sections 6, 31, 53, 62, 66, 68-74, 154:
- EDUCATION ACT 1990 (292), Sections 24, 65-66, 69:
- ENTERTAINMENT INDUSTRY REGULATIONS 2004 (1805), Section 5-5B:
- FUNERAL FUNDS ACT 1979 (1330), Sections 11, 24, 25A-26, 28, 34, 43-49:
- HOME BUILDING ACT 1989 (264), Sections 4, 6-7B, 12-15, 16D-16DB, 32, 92, 95:
- PASSENGER TRANSPORT ACT 1990 (325), Sections 7, 9D, 11, 30-31, 33, 34, 37-38, 40:

- PETROLEUM (ONSHORE) REGULATION 2007 (2135), Sections 12, 14-15:
- SURVEYING AND SPATIAL INFORMATION REGULATION 2006 (2044), Sections 6, 11, 52-70:

**Additional information has been added to the contents of these records.**

**Note: This includes changes made to parts (a) (b) (c) and (d). However, not all records will have changes made to all parts. Additional sections have not been added to the record keeping components of the legislation:-**

- AGRICULTURAL TENANCIES ACT 1990 (254)
- ANTI-DISCRIMINATION ACT 1977 (266)
- OFFSHORE MINERALS ACT 1999 (178)

## 16.4 NORTHERN TERRITORY

### Added Laws:-

- ENVIRONMENT PROTECTION (BEVERAGE CONTAINERS AND PLASTIC BAGS) ACT 2011 (2542)
- PLANT HEALTH ACT 2008 (2568)
- RAIL SAFETY ACT (2517)
- TRANSPORT OF DANGEROUS GOODS BY ROAD AND RAIL (NATIONAL UNIFORM LEGISLATION) ACT (2536)

### Repealed Laws:-

- DANGEROUS GOODS (ROAD AND RAIL TRANSPORT) ACT (1878), Section 35 (Repealed by Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Act) (see law 2536)
- DANGEROUS GOODS (ROAD AND RAIL TRANSPORT) REGULATIONS (1879), Sections 10.7-10.8, 11.2-11.4, 11.6-11.8 (Due to the repeal of the Dangerous Goods (Road and Rail Transport) Act by the Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Act, these Regulations are also repealed) (see law 2536)
- DEBITS TAX ACT (1470), Section 17A (Repealed by Revenue Legislation Amendment Act 2011. This Act no longer contains provisions relevant to record keeping.)
- FUEL SUBSIDIES ACT (1147), Sections 6, 9-11, 28, 35, 46 (Repealed by Revenue Legislation Amendment Act 2011. This Act no longer contains provisions relevant to record keeping.)
- FUEL SUBSIDIES REGULATIONS (1148), Section 9 (Due to the repeal of the Fuel Subsidies Act by the Revenue Legislation Amendment Act 2011 these regulations are also repealed. These Regulations no longer contains provisions relevant to record keeping.)

**The penalty units stated in the following pieces of legislation have been changed:-**

- ENERGY PIPELINES REGULATIONS (1472)
- FOOD ACT (1958)
- MEAT INDUSTRIES REGULATIONS (1395)
- MINING MANAGEMENT REGULATIONS 2001 (1388)
- RADIOACTIVE ORES AND CONCENTRATES (PACKAGING AND TRANSPORT) ACT (1483)
- VETERINARIANS ACT (685)

**Additional sections containing record keeping requirements have been added to the following pieces of legislation:-**

- CONSUMER AFFAIRS AND FAIR TRADING ACT (448), Sections 128-129, 157-158, 160, 167, 172-173, 188, 212, 247-248, 275, 279-283, 296:
- MOTOR VEHICLES ACT (680), Sections 25A-25B, 34-35, 43, 117:
- WEAPONS CONTROL ACT (1491), Sections 10-11:

**Additional information has been added to the contents of these records.**

**Note: This includes changes made to parts (a) (b) (c) and (d). However, not all records will have changes made to all parts. Additional sections have not been added to the record keeping components of the legislation:-**

- WATER ACT (470)

## 16.5 QUEENSLAND

### Added Laws:-

- OCCUPATIONAL LICENSING NATIONAL LAW (QUEENSLAND) ACT 2010 (2543)

### Repealed Laws:-

- TRANSPORT INFRASTRUCTURE ACT 1994 (1696), Sections 123, 385 (Sections 123 and 385 were repealed by Transport (Rail Safety) Act 2010. This Act no longer contains provisions relevant to record keeping.)

**The content of these records have been changed (information has been removed from sections and / or**

**contents of the records):-**

- CLEAN ENERGY ACT 2008 (2353), Sections 6, 8-11, 16, 18-21:
- COAL MINING SAFETY AND HEALTH ACT 1999 (1184), Sections 33-47, 62-63, 65-69, 154-155, 174, 198, 235:
- FAIR TRADING ACT 1989 (344), Sections 15-16:
- MINING AND QUARRYING SAFETY AND HEALTH REGULATION 2001 (1098), Sections 10-11, 41, 61, 63, 78, 94, 112-113, 118-120, 131-132:
- PETROLEUM REGULATION 2004 (1858), Sections 6-14, 16-25, 28-34:
- PLANT PROTECTION REGULATION 2002 (2046), Sections 50-51, 51B-52, 54-55:

**Additional sections containing record keeping requirements have been added to the following pieces of legislation:-**

- INDUSTRIAL RELATIONS ACT 1999 (1188), Sections 19-57, 73-85C, 89-90B, 141-167, 170, 179, 181, 183, 185, 366-368, 371-375, 380, 406-408, 414, 528, 544-550, 554-579:
- MEDICAL RADIATION TECHNOLOGISTS REGISTRATION REGULATION 2002 (1366), Sections 15-18:
- TRANSPORT OPERATIONS (PASSENGER TRANSPORT) ACT 1994 (1364), Sections 15, 27, 70, 74AA, 80H, 83, 87B-87C:
- WATER SUPPLY (SAFETY AND RELIABILITY) ACT 2008 (2288), Sections 20-22, 52-61, 70-82, 91-96, 106, 108, 115-117, 120-130, 133-136, 139-142, 190, 196, 200-203, 434, 575-577:

## **16.6 SOUTH AUSTRALIA**

**Added Laws:-**

- COMMUNITY TITLES REGULATIONS 2011 (2562)
- CONTROLLED SUBSTANCES (POISONS) REGULATIONS 2011 (2547)
- EXPLOSIVES REGULATIONS 2011 (2563)
- MINING REGULATIONS 2011 (2548)
- OCCUPATIONAL LICENSING NATIONAL LAW (SOUTH AUSTRALIA) ACT 2011 (2571)
- SECURITY AND INVESTIGATION AGENTS REGULATIONS 2011 (2564)
- TRUSTEE REGULATIONS 2011 (2565)

**Repealed Laws:-**

- COMMUNITY TITLES REGULATIONS 1996 (1057), Sections 24, 29A-32 (Repealed by Community Titles Regulations 2011) (see law 2562)
- CONTROLLED SUBSTANCES (POISONS) REGULATIONS 1996 (1061), Sections 14-15, 26-27, 31D-31I, 31M, 38 (Repealed by Controlled Substances (Poisons) Regulations 2011) (see law 2547)
- EXPLOSIVES REGULATIONS 1996 (1770), Sections 14.09, 14.35 (Repealed by Explosives Regulations 2011) (see law 2563)
- MINING REGULATIONS 1998 (1072), Sections 97, 112 (Repealed by Mining Regulations 2011) (see law 2548)
- SECURITY AND INVESTIGATION AGENTS REGULATIONS 1996 (1075), Sections 13-19 (Repealed by Security and Investigation Agents Regulations 2011) (see law 2564)
- TRUSTEE REGULATIONS 1996 (1141), Section 6 (Repealed by Trustee Regulations 2011) (see law 2565)

**The content of these records have been changed (sections have been removed or changed and / or contents of the records have been altered):-**

- CONTROLLED SUBSTANCES ACT 1984 (480), Sections 13-19:
- FAIR TRADING ACT 1987 (591), Sections 13-14:
- FISHERIES MANAGEMENT (ROCK LOBSTER FISHERIES) REGULATIONS 2006 (2053), Sections 21-24:
- GAS ACT 1997 (958), Sections 19, 44, 58:
- STAMP DUTIES ACT 1923 (389), Sections 31D-31E, 33-35:

**Additional sections containing record keeping requirements have been added to the following pieces of legislation:-**

- FISHERIES MANAGEMENT (MARINE SCALEFISH FISHERIES) REGULATIONS 2006 (2050), Sections 22-22A, 25-28:
- MOTOR VEHICLES ACT 1959 (105), Sections 74, 98A, 98D, 98ML:

**Additional information has been added to the contents of these records.**

**Note: This includes changes made to parts (a) (b) (c) and (d). However, not all records will have changes made to all parts. Additional sections have not been added to the record keeping components of the legislation:-**

- GAMING MACHINES ACT 1992 (35)
- RADIATION PROTECTION AND CONTROL (IONIZING RADIATION) REGULATIONS 2000 (1607)

## 16.7 TASMANIA

### **Added Laws:-**

- AUSTRALIAN CONSUMER LAW (TASMANIA) ACT 2010 (2524)
- BURIAL AND CREMATION ACT 2002 (2549)
- COLLECTIONS FOR CHARITIES ACT 2001 (2531)
- DANGEROUS GOODS (ROAD AND RAIL TRANSPORT) ACT 2010 (2525)
- DANGEROUS GOODS (ROAD AND RAIL TRANSPORT) REGULATIONS 2010 (2526)
- FISHERIES (COMMERCIAL DIVE) RULES 2011 (2534)
- FISHERIES (MACKEREL) RULES 2009 (2572)
- FISHERIES (PROCESSING AND HANDLING) RULES 2010 (2521)
- FISHERIES (ROCK LOBSTER) RULES 2011 (2569)
- OCCUPATIONAL LICENSING (ELECTRICAL WORK) REGULATIONS 2008 (2528)
- OCCUPATIONAL LICENSING (GAS-FITTING WORK) REGULATIONS 2010 (2529)
- OCCUPATIONAL LICENSING (PLUMBING WORK) REGULATIONS 2010 (2530)
- RAIL SAFETY ACT 2009 (2504)
- WILDLIFE (DEER FARMING) REGULATIONS 2010 (2513)
- WILDLIFE (EXHIBITED ANIMALS) REGULATIONS 2010 (2514)
- WILDLIFE (GENERAL) REGULATIONS 2010 (2515)

### **Repealed Laws:-**

- DOOR-TO-DOOR TRADING ACT 1986 (695), Section 7 (Repealed by Australian Consumer Law (Tasmania) (Consequential Amendments) Act 2010. This Act no longer contains provisions relevant to record keeping. Instead please refer to Australian Consumer Law (Tasmania) Act 2010) (see law 2524)
- FAIR TRADING ACT 1990 (699), Sections 14-28 (Repealed by Australian Consumer Law (Tasmania) (Consequential Amendments) Act 2010. This Act no longer contains provisions relevant to record keeping. Instead please refer to Australian Consumer Law (Tasmania) Act 2010) (see law 2524)
- FISHERIES (COMMERCIAL DIVE) RULES 2005 (1961), Sections 16-19, 25 (Repealed by Fisheries (Commercial Dive) Rules 2011) (see law 2534)
- FISHERIES (MACKEREL) RULES 1999 (1544), Section 7 (Repealed by Fisheries (Mackerel) Rules 2009) (see law 2572)
- FISHERIES (ROCK LOBSTER) RULES 2006 (1968), Sections 22, 38, 42-43, 50, 57-63, 65-66, 70, 80-81, 83, 91-92 (Repealed by Fisheries (Rock Lobster) Rules 2011) (see law 2569)
- FISHERIES (PROCESSING AND HANDLING) RULES 2001 (1541), Sections 13, 22-29 (Repealed by Fisheries (Processing and Handling) Rules 2010) (see law 2521)
- MEDICAL RADIATION SCIENCE PROFESSIONALS REGISTRATION ACT 2000 (1264), Sections 19, 58 (Repealed by Medical Radiation Science Professionals Registration (Repeal) Act 2011. This Act no longer contains provisions relevant to record keeping.)
- RAIL SAFETY ACT 1997 (1529), Sections 6, 9, 14, 23 (Repealed by Rail Safety Act 2009) (see law 2504)

### **The penalty units stated in the following pieces of legislation have been changed:-**

- FISHERIES (ABALONE) RULES 2009 (2422)
- FISHERIES (GENERAL AND FEES) REGULATIONS 1996 (1962)
- FISHERIES (GIANT CRAB) RULES 2006 (1967)
- FISHERIES (SCALEFISH) RULES 2004 (1963)
- FISHERIES (SCALLOP) RULES 2010 (2421)
- FISHERIES (SHELLFISH) RULES 2007 (2085)
- FISHERIES RULES 1999 (1546)

### **Additional sections containing record keeping requirements have been added to the following pieces of legislation:-**

- PETROLEUM (SUBMERGED LANDS) ACT 1982 (1083), Sections 18, 33, 37A, 37J, 38, 59, 122:
- WATER MANAGEMENT ACT 1999 (1534), Sections, 45, 54, 82, 123A, 135, 136A, 146, 165H-165I, 182:

### **Additional information has been added to the contents of these records.**

**Note:** This includes changes made to parts (a) (b) (c) and (d). However, not all records will have changes made to all parts. Additional sections have not been added to the record keeping components of the legislation:-

- TRUSTEE COMPANIES ACT 1953 (436), Sections 30, 34:

## 16.8 VICTORIA

### **Added Laws:-**

- DANGEROUS GOODS (EXPLOSIVES) REGULATIONS 2011 (2551)
- EDUCATION AND CARE SERVICES NATIONAL LAW (VICTORIA) ACT 2010 (2518)
- EQUAL OPPORTUNITY ACT 2010 (2552)
- ESTATE AGENTS (GENERAL, ACCOUNTS AND AUDIT) REGULATIONS 2008 (2546)
- LIVESTOCK MANAGEMENT ACT 2010 (2554)
- OCCUPATIONAL LICENSING NATIONAL LAW (VICTORIA) ACT 2010 (2516)
- PETROLEUM REGULATIONS 2011 (2545)
- PHARMACY REGULATION ACT 2010 (2512)
- SEVERE SUBSTANCE DEPENDENCE TREATMENT ACT 2010 (2540)
- THERAPEUTIC GOODS (VICTORIA) ACT 2010 (2541)
- TRANSPORT (TAXI-CAB LICENCES – MARKET AND TRADING) REGULATIONS 2005 (2557)

### **Repealed Laws:-**

- ALCOHOLICS AND DRUG DEPENDENT PERSONS ACT 1968 (153), Section 16 (Repealed by Severe Substance Dependence Treatment Act 2010) (see law 2540)
- DANGEROUS GOODS (EXPLOSIVES) REGULATIONS 2000 (1204), Sections 308, 508 (Repealed by Dangerous Goods (Explosives) Regulations 2011) (see law 2551)
- EQUAL OPPORTUNITY ACT 1995 (761), Sections 16-68, 86-95 (Repealed by Equal Opportunity Act 2010) (see law 2552)
- ESTATE AGENTS (GENERAL, ACCOUNTS AND AUDIT) REGULATIONS 1997 (1093), Sections 22-32, 35 (Under s.5 of the Subordinate Legislation Act 1994, these Regulations were revoked. Instead please refer to Estate Agents (General, Accounts and Audit) Regulations 2008) (see law 2546)
- INTRODUCTION AGENTS ACT 1997 (1006), Sections 24-29, 38 (Repealed by Consumer Affairs Legislation Amendment (Reform) Act 2010. This Act no longer contains provisions relevant to record keeping.)
- MINES ACT 1958 (1760), Sections 372, 419 (Repealed by Energy and Resources Legislation Amendment Act 2010. This Act no longer contains provisions relevant to record keeping.)
- PETROLEUM REGULATIONS 2000 (1219), Sections 4-6, 15, 24, 29-30 (Repealed by Petroleum Regulations 2011) (see law 2545)
- PRIVATE AGENTS ACT 1966 (201), Sections 5-6, 19A-19B, 19J, 23-24, 34-35, 41-41A, 44A, 46 (Repealed by Consumer Affairs Legislation Amendment Act 2010. This Act no longer contains provisions relevant to record keeping.)
- PRIVATE AGENTS REGULATIONS 2003 (1580), Sections 16-18 (Due to the repeal of the Private Agents Act 1966 by the Consumer Affairs Legislation Amendment Act 2010, this regulation is now repealed. This regulation no longer contains provisions relevant to record keeping.)
- THERAPEUTIC GOODS (VICTORIA) ACT 1994 (1832), Section 38 (Repealed by Therapeutic Goods (Victoria) Act 2010) (see law 2541)
- TRADE MEASUREMENT ACT 1995 (41), Sections 28-29, 31-32, 42-43 (Repealed by Consumer Affairs Legislation Amendment Act 2010. This Act no longer contains provisions relevant to record keeping.)
- TRADE MEASUREMENT REGULATIONS 2007 (2105), Sections 23-24, 27, 31, 43, 45, 47-48, 50 (Due to the repeal of the Trade Measurement Act 1995 by the Consumer Affairs Legislation Amendment Act 2010, this regulation is now repealed. This regulation no longer contains provisions relevant to record keeping.)

### **The penalty units stated in the following pieces of legislation have been changed:-**

- ESTATE AGENTS ACT 1980 (100)

### **The content of these records have been changed (sections have been removed or changed and / or contents of the records have been altered):-**

- CONVEYANCERS ACT 2006 (2244), Sections 8, 13, 41, 57-59, 62-86, 153:
- FAIR TRADING ACT 1999 (1214) Note: The Australian Consumer Law text applies as a law of this jurisdiction and as so applying may be referred to as the Australian Consumer Law (Victoria). The Australian Consumer Law text consists of Schedule 2 to the (Fed) Competition and Consumer Act 2010 (s.8-s.9) (see law 2553)

### **Additional sections containing record keeping requirements have been added to the following pieces of legislation:-**

- BUILDING ACT 1993 (496), Sections 16, 33, 38-39, 49, 135-136, 169, 176, 221D, 221I-221K, 221ZH, 221ZM, 221ZQ-221ZR:
- CHILDREN'S SERVICES ACT 1996 (1200), Sections 7, 26A-26B, 29B-29C, 32B, 33:
- DANGEROUS GOODS (TRANSPORT BY ROAD OR RAIL) REGULATIONS 2008 (2270), Sections 27, 120-121, 127-140, 156-157, 192-193:
- DRUGS, POISONS AND CONTROLLED SUBSTANCES ACT 1981 (166), Sections 32, 38, 46-47, 80N-80S:
- FOOD ACT 1984 (173), Sections 19CB, 19D-19F, 35-36:

- GAMBLING REGULATION ACT 2003 (1775), Sections 3.7.3-3.7.5, 3.7.6AA, 4.8.2-4.8.5, 5.2.7, 5.5.1-5.5.2, 5.7.18, 6.4.1, 6A.5.1, 8.5.37, 8.5A.26, 8.6.1-8.6.2:
- LIQUOR CONTROL REFORM ACT 1998 (1095), Sections 100-101A, 107, 179:

**Additional information has been added to the contents of these records.**

**Note: This includes changes made to parts (a) (b) (c) and (d). However, not all records will have changes made to all parts. Additional sections have not been added to the record keeping components of the legislation:-**

- FIREARMS ACT 1996 (915)
- LIVESTOCK DISEASE CONTROL ACT 1994 (500)

## 16.9 WESTERN AUSTRALIA

### Added Laws:-

- AGRICULTURE AND RELATED RESOURCES PROTECTION (EUROPEAN HOUSE BORER) REGULATIONS 2006 (2533)
- BUILDING SERVICES (REGISTRATION) ACT 2011 (2555)
- CHILD CARE SERVICES (RURAL FAMILY CARE) REGULATIONS 2010 (2443)
- HEALTH (PESTICIDES) REGULATIONS 2011 (2532)
- OFFSHORE MINERALS REGULATIONS 2010 (2523)
- RAIL SAFETY ACT 2010 (2535)
- RAIL SAFETY REGULATIONS 2011 (2556)

### Repealed Laws:-

- BUILDERS REGISTRATION ACT 1939 (211), Section 4 (Repealed by Building Services (Registration) Act 2011) (see law 2555)
- FINANCE BROKERS CONTROL ACT 1975 (225), Sections 26, 42, 46, 48-49, 60, 64, 67, 92 (Repealed by Credit (Commonwealth Powers) (Transitional and Consequential Provisions) Act 2010. This Act no longer contains provisions relevant to record keeping.)
- HEALTH (PESTICIDES) REGULATIONS 1956 (1110), Sections 35, 37, 67, 74, 82 (Repealed by Health (Pesticides) Regulations 2011) (see law 2532)
- MARKETING OF EGGS ACT 1945 (1811), Section 32K (Repealed by Statutes (Repeals and Minor Amendments) Act 2011. This Act no longer contains provisions relevant to record keeping.)
- PAINTERS REGISTRATION ACT 1961 (240), Section 4 (Repealed by Building Services (Registration) Act 2011) (see law 2555)

**The content of these records have been changed (sections have been removed or changed and / or contents of the records have been altered):-**

- AGRICULTURE AND RELATED RESOURCES PROTECTION (DECLARED ANIMALS) REGULATIONS 1985 (1282), Sections 8, 21:
- FISH RESOURCES MANAGEMENT REGULATIONS 1995 (1292), Sections 56, 64, 66, 69, 92, 128A-128B, 128D-128E, 128I-s.128J, 128L, 130:
- PETROLEUM PIPELINES REGULATIONS 1970 (1757), Sections 18, 23:
- TRAVEL AGENTS ACT 1985 (969), Sections 7, 41:
- W.A. MARINE (SURVEYS AND CERTIFICATES OF SURVEY) REGULATIONS 1983 (1344), Section 12:

**Additional sections containing record keeping requirements have been added to the following pieces of legislation:-**

- FISH RESOURCES MANAGEMENT ACT 1994 (509), Sections 54-63, 66, 74-75, 79-80, 82, 90:
- PETROLEUM (SUBMERGED LANDS) ACT 1982 (243), Sections 19, 21, 34, 38A, 38J, 39, 41, 60A, 60, 64, 67, 122:
- SECURITY AND RELATED ACTIVITIES (CONTROL) ACT 1996 (932), Sections 15-18A, 25, 29-30, 36-37, 78, 84, 88:
- SECURITY AND RELATED ACTIVITIES (CONTROL) REGULATIONS 1997 (1117), Sections 14, 16A, 35-43:
- TAXI REGULATIONS 1995 (1343), Sections 13G, 15, 21:

**Additional information has been added to the contents of these records.**

**Note: This includes changes made to parts (a) (b) (c) and (d). However, not all records will have changes made to all parts. Additional sections have not been added to the record keeping components of the legislation:-**

- EDUCATION SERVICE PROVIDERS (FULL FEE OVERSEAS STUDENTS) REGISTRATION ACT 1991 (224)
- PAY-ROLL TAX ASSESSMENT REGULATIONS 2003 (1640)



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