



Statutory Rules 1984 No. *L*¹

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Archives Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and in pursuance of section 4 of the *Acts Interpretation Act 1901*, hereby make the following Regulations under the *Archives Act 1983*.

Dated *31 May* 1984.

N. M. STEPHEN

Governor-General

By His Excellency's Command,

(Sgd) Barry Cohen

Minister of State for Home Affairs
and Environment

Citation

1. These Regulations may be cited as the Archives Regulations.

Interpretation

2. In these Regulations, "the Act" means the *Archives Act 1983*.

Appraisal of records

3. Where, by notice in writing given by the Archives, a Commonwealth institution is requested to furnish information to the Archives in respect of Commonwealth records, or records included in a class of Commonwealth records, in its custody, the Commonwealth institution shall, within such time as is reasonable in the circumstances, provide the information so requested, being information that is reasonably necessary for the purpose of appraising such records including, without limiting the generality of the foregoing, information relating to—

(a) the subject matter of the records;

- (b) the purpose of the records in fulfilling the functions of a Commonwealth institution;
- (c) the age of the records;
- (d) the period to which the records relate;
- (e) the physical nature of the records;
- (f) the quantity of the records;
- (g) the location of the records;
- (h) the frequency with which the records are, or will be, used;
- (j) the value, or significance, of the records in relation to the functions of a Commonwealth institution;
- (k) the record-keeping system used in relation to the records;
- (l) the relationship (if any) between the records and other materials;
- (m) the existence of any law, agreement, practice, procedure, arrangement or understanding affecting the disposal or custody of the records.

Notice in relation to dealings with records

4. (1) Where—

- (a) the permission of the Archives is given to a person in respect of any dealings with Commonwealth records;
- (b) a practice or procedure is approved by the Archives, in relation to any dealings with Commonwealth records; or
- (c) the Archives notifies a Department or authority of the Commonwealth that it disapproves of a practice of the Department or authority in relation to dealings with Commonwealth records,

such permission, approval or disapproval, as the case may be, shall be given by the Archives by notice in writing, being a notice that complies with sub-regulation (2).

(2) A notice referred to in sub-regulation (1) shall—

- (a) be signed by the Director-General or an authorized person;
- (b) specify the date on which the notice is signed;
- (c) specify the matter to which permission, approval or disapproval, relates, as the case may be; and
- (d) specify the name and address of the person to whom the notice is to be given.

(3) In this regulation, a reference to an authorized person shall be read as a reference to a person authorized in writing by the Director-General to be an authorized person for the purposes of this regulation.

Confirmation of arrangements for dealing with records

5. Where the Archives has given permission relating to the destruction or other disposal of Commonwealth records, or records included in a class of Commonwealth records, by a Commonwealth institution, the institution shall,

not later than 90 days after receipt of such permission, inform the Archives in writing either—

- (a) that it intends to destroy or otherwise dispose of the records in accordance with that permission; or
- (b) that, for the reasons set out, it does not intend to so destroy or otherwise dispose of the records.

Consent to destruction or other disposal of certain records

6. (1) Where, the Archives has, by notice in writing, requested the consent of a Commonwealth institution to the destruction or other disposal of prescribed records, that institution shall, within 30 days after receipt of such notice, respond in writing to the Archives by—

- (a) consenting to the proposed destruction or other disposal of the records; or
- (b) requesting, for the reasons set out, that the Archives retain the records for a further period.

(2) In sub-regulation (1), “prescribed records” means Commonwealth records, or records included in a class of Commonwealth records that, in accordance with an arrangement approved by the Archives, are being kept temporarily in the custody of the Archives for a period that, at the date of the request referred to in sub-regulation (1), has expired or will expire within 90 days of that request.

Confirmation of destruction or other disposal of records

7. Where a Commonwealth institution has, with the permission of the Archives or in accordance with a practice or procedure approved by the Archives, destroyed or otherwise disposed of Commonwealth records, the Commonwealth institution shall, by notice in writing given to the Archives within 30 days of the destruction or other disposal of those records, inform the Archives that the records have been so destroyed or otherwise disposed of.

Charges

8. (1) The charges set out in Part I of Schedule 1 are applicable in respect of the provision of copies of documents in pursuance of applications made in accordance with the Act.

(2) The charges set out in Part II of Schedule 1 apply to a Commonwealth institution specified in Schedule 2 in respect of the keeping of records of that institution, being records—

- (a) that do not form part of the archival resources of the Commonwealth; and
 - (b) that are temporarily in the custody of the Archives or a person in accordance with an arrangement under section 64 of the Act.
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SCHEDULE 1

Sub-regulation 8 (1)

PART I

CHARGES APPLICABLE IN RESPECT OF THE PROVISION OF COPIES OF DOCUMENTS

Item No.	Charge	Amount or rate of Charge
1	Where access is given under paragraph 36 (2) (b) of the Act to a document (including any written or printed material) in the form of the provision of a photocopy of the document other than the provision of a photocopy by virtue of the operation of paragraph 36 (4) (b) or (c), or sub-section 37 (2), of the Act— (a) a basic charge in respect of the provision of not more than 5 pages of photocopy; and (b) a charge in respect of providing the number of pages of photocopy in excess of 5 pages	\$1.00 basic charge and 20 cents per page
2	Where access is given under paragraph 36 (2) (b) of the Act to a document (including any written or printed material) in the form of the provision of a copy (other than a photocopy) of the document other than the provision of such a copy by virtue of the operation of paragraph 36 (4) (b) or (c), or sub-section 37 (2), of the Act—a charge in respect of the provision of the copy so provided	an amount not exceeding the actual costs (including, where applicable, the cost of any film or other article or thing provided) incurred by the Archives in providing the copy
3	Where— (a) access to a document is to be given in the form of the provision of a copy of a document, being a copy referred to in Item 1 or 2; and (b) the copy so provided is, at the request of the person requesting access in that form, to be sent by post or delivered to an address supplied by that person, a charge in respect of the posting or delivery of the copy	an amount not exceeding the cost of postage or delivery

PART II

Sub-regulation 8 (2)

CHARGES APPLICABLE IN RESPECT OF THE KEEPING OF RECORDS FOR CERTAIN COMMONWEALTH INSTITUTIONS

Item No.	Charge	Amount or rate of Charge
1	In respect of the keeping of records in the custody of Archives—an initial charge in respect of taking the records into custody	\$15.00 in respect of each linear metre of shelf space occupied by the records
2	In respect of the keeping of records in the custody of a person referred to in paragraph 8 (2) (b)—an initial charge in respect of taking the records into custody	\$1.00 in respect of each linear metre of shelf space occupied by the records
3	Where records are kept in the custody of the Archives or a person referred to in paragraph 8 (2) (b)—an annual charge in respect of the keeping of those records	\$4.50 per annum in respect of each linear metre of shelf space occupied by the records

SCHEDULE 2

Sub-regulation 8 (2)

COMMONWEALTH INSTITUTIONS

Army and Air Force Canteen Service
Aboriginal Development Commission
Aboriginal Hostels Ltd
ACT Electricity Authority
ACT Liquor and Gaming Authority
ACT Milk Authority
Albury-Wodonga Development Corporation
Anglo-Australian Telescope Board
AUSSAT Pty Ltd
Australian Apple and Pear Corporation
Australian Atomic Energy Commission
Australian Bicentennial Authority
Australian Canned Fruits Corporation
Australian Dairy Corporation
Australian Dried Fruits Corporation
Australian Egg Board
Australian Film Commission
Australian Honey Board
Australian Industry Development Corporation
Australian Institute of Sport
Australian Meat and Livestock Corporation
Australian National Airlines Commission
Australian Postal Commission
Australian Shipping Commission
Australian Telecommunications Commission
Australian Tobacco Board
Australian Wheat Board
Australian Wine and Brandy Corporation
Australian Wool Corporation
Australian Wool Testing Authority
Building and Construction Industry Long Service Leave Board
Canberra Commercial Development Authority
Canberra Public Cemetery Trust
Canberra Retail Markets Trust
Canberra Showground Trust
Canberra Theatre Trust
Capital Territory Health Commission
Christmas Island Administration
Cocos (Keeling) Islands Administration
Commonwealth Accommodation and Catering Services Ltd
Commonwealth Banking Corporation
Commonwealth Savings Bank
Commonwealth Development Bank
Commonwealth Trading Bank
Commonwealth Scientific and Industrial Research Organization
Commonwealth Serum Laboratories Commission
Defence Service Homes Corporation
Export Finance and Insurance Corporation
Health Insurance Commission
Housing Loans Insurance Corporation
International Cultural Corporation of Australia Ltd
Law Courts Ltd
Overseas Telecommunications Commission
Phosphate Mining Company of Christmas Island Ltd
Pipeline Authority
Primary Industry Bank of Australia
Qantas Airways Limited
Reserve Bank of Australia
River Murray Commission

SCHEDULE 2—continued

Royal Australian Navy Control Canteens Board
Snowy Mountains Engineering Corporation
Snowy Mountains Hydro-electric Authority

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on *h* 1984.

1 June/