

Australian Capital Territory

Territory Records (Records Disposal Schedule – Independent Competition and Regulation Records) Approval 2006 (No 1)

Notifiable instrument NI2006—28

made under the

Territory Records Act 2002, s 19 (Approval of schedules for the disposal of records)

1. Name of Instrument

This instrument is the Territory Records (Records Disposal Schedule – Independent Competition and Regulation Records) Approval 2006 (No 1)

2. Approval

I approve the Records Disposal Schedule – Independent Competition and Regulation Records.

3. Commencement

This instrument commences on the day after notification.

David Wardle
Director of Territory Records
30 January 2006



Records Disposal Schedule Independent Competition & Regulation Records

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INTRODUCTION

The *Records Disposal Schedule – Independent Competition & Regulation Records* is the official authority for the disposal of records relating to Independent Competition & Regulation Records.

It is one of a series of Records Disposal Schedules authorised by the Director of Territory Records in accordance with the provisions of the *Territory Records Act 2002*. It is used in conjunction with the *Territory Administrative Records Disposal Schedule (TARDiS)*.

PURPOSE

The purpose of this Records Disposal Schedule is to provide for the authorised disposal of Independent Competition & Regulation records created or maintained by ACT Government Agencies.

SCOPE

This Records Disposal Schedule applies to records created or maintained by ACT Government Agencies. It applies to records in any format, including electronic records.

AUTHORITY

The Director of Territory Records, in consultation with stakeholders and the Territory Records Advisory Council, has approved this Records Disposal Schedule for use. The schedule does not take effect until it has been incorporated into an agency's Records Management Program that has been signed off by the Principal Officer of the agency.

Even so, officers using this Records Disposal Schedule should apply it with caution. They should be aware that the authorisations for disposal are given in terms of the *Territory Records Act 2002* only. Officers must not dispose of records in contravention of this Records Disposal Schedule or other requirements.

This Records Disposal Schedule will remain in force until a new schedule supersedes it or the Director of Territory Records withdraws it from use.

STRUCTURE AND RELATIONSHIP TO THE TERRITORY VERSION OF KEYWORD AAA

A Records Disposal Schedule generally specifies retention periods. That is, how long records are to be retained by the agency before being destroyed or retained as Territory Archives.

Retention periods set down in this schedule are minimum periods only and an agency may keep records for a longer period if considered necessary for business requirements. Reasons for longer retention could include legal requirements, administrative need or agency directives. **An agency must not dispose of any records where it is aware of possible legal action for which the records may be required as evidence.**

The *Records Disposal Schedule – Independent Competition & Regulation Records* has a hierarchical structure that reflects its arrangements according to functions and activities, rather than by subject, and this also reflects a close relationship to the Territory Version of Keyword AAA. The Records Disposal Schedule is designed to be applicable to all Independent

Competition & Regulation records regardless of titling conventions used, so that records, which have not been titled using the terminology represented by this Records Disposal Schedule, may still be sentenced with relative ease.

Territory Version of Keyword AAA

The Territory Version of Keyword AAA is the general administrative thesaurus produced by the Territory Records Office. The structure and terms used in this Records Disposal Schedule are closely related to those used in the Territory Version of Keyword AAA, which is based on functional analysis of business activity. This methodology (i.e., the analysis of business activity) produces a hierarchical model of an organisation's business activity. The hierarchical model also represents a classification scheme for the records that document functions, activities and transactions.

The disposal actions listed in this Records Disposal Schedule were determined through the process of appraisal in accordance with *Territory Records Office Standard for Records Management No.2 – Appraisal*. Appraisal is based upon the same type of analysis of business activity employed in the classification scheme used in the Territory Version of Keyword AAA. Essentially, appraisal involves attaching record retention periods and disposal decisions (and even records creation requirements and rules) to the same classification scheme.

GUIDELINES FOR USE

Coverage of authority

The Records Disposal Schedule – Independent Competition & Regulation Records:

- covers all Independent Competition & Regulation records;
- is intended to be used in conjunction with TARDiS;
- specifies the minimum period records should be kept (retention periods);
- specifies whether, upon the expiry of the retention periods, the records may be destroyed or are required as Territory Archives; and
- is applicable to records created and maintained in any format, including electronic or formats such as microfiche.

Layout of the schedule

This Records Disposal Schedule begins with an introduction incorporating definitions and the business classification scheme. Then each of the functions and activity disposal sets or ‘disposal classes’ relating to the functions are described. These are followed by a composite list of classes designated ‘Retain as Territory Archives’. The functions and activity disposal sets show the following details:

Function.

This is the broad level business function and is displayed in bold capital letters at the top of each page. It is the highest level in the business classification scheme. It is followed by the scope note, which provides definitions of the function and a collective view of the business activities that make that function unique.

Activity.

Activities are the processes or operations that make up the business function. They are set in bold and italics below the function statement. This is the second level of the business classification scheme. The scope of the activity encompasses all of the transactions that take place in relation to the activity. Activities can relate to many functions with the scope notes covering all of these relationships (e.g., the activity ‘Policy’ is linked to all of the functions). However, each function and activity set represents a unique unit.

Entry No.

This is the disposal class number allocated based on the function and activity set and the class number of the record. The barcode is the same as the Entry No. and may be used in an automated recordkeeping system.

Description of Records.

This is the description of the records documenting the business function, activity and transactions. The descriptions can relate to one record such as a register or a group of records documenting a particular set of transactions.

Disposal Action.

This is the minimum period a record must be kept for and is the trigger event from which the disposal date can be calculated.

FORMAT OF RECORD

This Records Disposal Schedule is applicable to any record that performs the function prescribed, irrespective of format. Records may include:

- cards;
- registers;
- files;
- microfilm;
- microfiche;
- COM (computer output microfiche);
- electronic records, including various electronic media, and
- any other formats.

Electronic records

Refers to records created, communicated and maintained by means of electronic equipment. Information could be maintained/stored in a number of ways – on the database (the main database, or a special archives database); on magnetic media; on optical disks; or on separate hardcopy (paper, COM).

Electronic records must be readily accessible for the length of the specified retention period. Routine treatment (such as wiping, updating, alterations or re-recording) does not constitute disposal.

DESTRUCTION OF RECORDS

When the approved disposal date for the destruction of records has been reached, appropriate arrangements for their destruction should be made. It is the responsibility of each agency to ensure that its records are destroyed in a secure and appropriate manner as indicated in the agency Records Management Program.

UPDATING THE RECORDS DISPOSAL SCHEDULE

Records Disposal Schedules are reviewed and updated from time to time. For suggested amendments or alterations to this schedule please contact the Director of Territory Records.

ASSISTANCE IN USING THE RECORDS DISPOSAL SCHEDULE

Agencies requiring any assistance in the interpretation or implementation of any Records Disposal Schedule are encouraged to contact the Director of Territory Records.

RELATED LEGISLATION

The following legislation is related to the records classes covered by this Records Disposal Schedule:

Electricity (Greenhouse Gas Emissions) Act 2004
Electricity Safety Act 1971
Emergency Management Act 1999
Environment Protection Act 1997
Fair Trading Act 1992
Financial Management Act 1996
Freedom of Information Act 1989
Gas Pipelines Access Act 1998
Gas Safety Act 2000
Independent Competition and Regulatory Commission Act 1997
Power of Attorney Act 1956
Privacy Act 1988
Territory Records Act 2002
Utilities Act 2000

DEFINITIONS

Agency

The Executive, an ACT Court, the Legislative Assembly Secretariat, an administrative unit, a Board of Inquiry, a Judicial or Royal Commission, any other prescribed authority, or an entity declared under the regulations of the *Territory Records Act 2002* to be an agency.

Appraisal

The process of evaluating business activities to:

- determine which records need to be captured;
- determine how long the records need to be kept to meet business needs; and
- meet the requirements of organisational accountability and community expectations.

Business Classification Scheme

A hierarchical scheme for identifying and defining the functions, activities and transactions an agency performs in the conduct of its business, and the relationships between them.

Principal Officer

The Chief Executive of an administrative unit, or its equivalent in other types of agencies.

Records

Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transition of business. This recorded information must be maintained or managed by the agency to provide evidence of their business activities. Records can be in written, electronic or any other form.

Records of an Agency

Records, in writing, electronic or any other form, under the control of an agency or to which it is entitled to control, kept as a record of its activities, whether it was created or received by the agency.

Records Disposal Schedule

A document approved by the Director of Territory Records, which sets out the types of records an agency must make and how long they must be kept.

Records Management Program

A document that complies with Section 16 of the *Territory Records Act 2002* by setting out the means by which an agency will manage its records, and is approved by the agency's Principal Officer.

Recordkeeping Systems

Information systems that capture, maintain and provide access to records over time. While the term is often associated with computer software, Recordkeeping Systems also encompass policies, procedures, practices and resources that are applied within an agency to ensure that full and accurate records of business activity are made and kept.

Scope Note

An explanation of terms used in describing the records and the context in which they were made and used.

Sentencing

The process of applying appraisal decisions to individual records by determining the part of a Records Disposal Schedule that applies to the record and assigning a retention period consistent with that part.

Territory Archives

Records preserved for the benefit of present and future generations.

BUSINESS CLASSIFICATION SCHEME

BUSINESS & INDUSTRY DEVELOPMENT

The function of improving the local economy through development of a regulatory framework and support of business and financial services, industry, tourism, trade, primary industry and resource development.

Advice

The activities associated with offering opinions by or to the agency as to an action or judgment. Includes the process of advising.

GOVERNANCE

The function of managing statutory bodies established under legislation. Includes the establishment of the statutory body, appointment of Board members or commissioners, terms of reference, proceedings, minutes of meetings, reports, agenda etc.

Committees

The activities associated with the managing of committees and task forces. Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agenda etc Use STRATEGIC MANAGEMENT - Committees for audit committees.

Representatives

The activities associated with the nomination, appointment or resignation of individuals or groups of personnel appointed by the organisation or their co- workers as official representatives to organisations, offices, unions, workers participation committees, councils or groups. Includes organisational legal representatives.

MARKET REGULATION

The function of industry regulation and advice to Government on industry policy.

Advice

The activities associated with offering opinions by or to the agency as to an action or judgment. Includes the process of advising.

Committees

The activities associated with the managing of committees and task forces. Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agenda etc Use STRATEGIC MANAGEMENT - Committees for audit committees.

Determinations (Regulated Industries)

Activities involving investigations and making determinations on pricing and operating practices of regulated industries, access to transmission and distribution networks, competition and other matters, such as consumer protection and environmental standards for utilities of energy, water, government regulated services and services provided by government monopoly (such as public transport). Determinations include consideration of consumer interests and facilitating a balance between efficiency and environmental and social conditions.

Policy

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the agency's operating procedures are determined.

Procedures

Standard methods of operating laid down by an organisation according to formulated policy.

Reporting

The processes associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies) and to provide formal statements or findings of the results of the examination or investigation. Includes agenda, briefing, business and discussion papers, proposals, reports, reviews and returns.

Reviewing

The activities involved in re-evaluating or re-examining products, processes, procedures, standards and systems. Includes recommendations and advice resulting from these activities.

UTILITIES & INFRASTRUCTURE REGULATION

The function of regulating utilities and infrastructure services, such as electricity, gas, telecommunications, public transport and water supply. Includes government negotiation with service providers, and negotiations over access to supply and distribution networks. Involves pricing instructions, as well as the development of standards for consumer protection and environmental standards.

Committees

The activities associated with the managing of committees and task forces. Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agenda etc Use STRATEGIC MANAGEMENT - Committees for audit committees.

Conferences

The activities involved in arranging or attending conferences held either by the agency or by other agencies. Includes registrations, publicity and reports of participants etc.

Determinations (Regulated Industries)

Activities involving investigations and making determinations on pricing and operating practices of regulated industries, access to transmission and distribution networks, competition and other matters, such as consumer protection and environmental standards for utilities of energy, water, government regulated services and services provided by government monopoly (such as public transport). Determinations include consideration of consumer interests and facilitating a balance between efficiency and environmental and social conditions.

Emissions Trading

The activities associated with administering the emissions trading scheme. Emissions trading uses mandatory and market based incentives to abate greenhouse gas emissions by electricity retailers, and off-setting excess emissions through trading of abatement certificates. Accredited abatement certificates are registered.

Legislation

The process of making laws. Includes Local, State, Commonwealth and overseas Acts, Bills and subsections of Acts, and amendments to each.

Modelling

The processes involved in designing, testing and evaluating sample model profiles of systems under analysis.

Reporting

The processes associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies) and to provide formal statements or findings of the results of the examination or investigation. Includes agenda, briefing, business and discussion papers, proposals, reports, reviews and returns.

Reviewing

The activities involved in re-evaluating or re-examining products, processes, procedures, standards and systems. Includes recommendations and advice resulting from these activities.

Standards

The process of implementing industry or organisational benchmarks for services and processes to enhance the quality and efficiency of the agency.

UTILITIES ACCESS REGULATION

The function of regulating non-discriminatory access to and use of monopoly or near monopoly infrastructure by third parties, such as gas or water pipes, roads, railway, communication services, that are wholly or partly owned, controlled or operated by a single agency, for the delivery of utility services to retail customers. Includes investigations and research associated with access.

See also UTILITIES LICENSING.

Determinations (Regulated Industries)

Activities involving investigations and making determinations on pricing and operating practices of regulated industries, access to transmission and distribution networks, competition and other matters, such as consumer protection and environmental standards for utilities of energy, water, government regulated services and services provided by government monopoly (such as public transport). Determinations include consideration of consumer interests and facilitating a balance between efficiency and environmental and social conditions.

Inquiries

The activities associated with liaising with bodies carrying out inquiries and participating in them. Inquiries are investigations carried out by people or bodies who have been empowered to inquire and report on a subject, such as Royal Commissions, Judicial Commissions, Boards of Inquiry, Legislative Assembly and Ombudsman's inquiries. Includes the agency's participation in the inquiry by providing evidence in the form of records, submissions or staff.

UTILITIES LICENSING

The function of regulation of natural gas, electricity and water systems in the ACT, including authorisations of gas supply for transmission. Includes the development of policies, terms and conditions of licenses and monitoring compliance with license conditions.

Evaluation

The process of determining the suitability of potential or existing programs, items of equipment, systems or services in relation to meeting the needs of the given situation. Includes systems analysis and ongoing monitoring.

Fees and charges determination

The activities associated with determining fees and charges.

Licensing

The activities associated with the granting of authoritative permission, approval, consent or licence to undertake specific tasks. Includes the licensing of individuals, groups or corporations.

Policy

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the agency's operating procedures are determined.

Reporting

The processes associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies) and to provide formal statements or findings of the results of the examination or investigation. Includes agenda, briefing, business and discussion papers, proposals, reports, reviews and returns.

Reviewing

The activities involved in re-evaluating or re-examining products, processes, procedures, standards and systems. Includes recommendations and advice resulting from these activities.


RECORDS DISPOSAL SCHEDULE

BUSINESS AND INDUSTRY DEVELOPMENT

The function of improving the local economy through development of a regulatory framework and support of business and financial services, industry, tourism, trade, primary industry and resource development.

Advice

The activities associated with offering opinions by or to the agency as to an action or judgment. Includes the process of advising.




<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
1.1.1 	Records relating to providing the government and its agencies with independent advice on industry regulation, economic management, pricing and policy issues.	Retain as Territory Archives

GOVERNANCE

The function of improving the local economy through development of a regulatory framework and support of business and financial services, industry, tourism, trade, primary industry and resource development.


Committees

The activities associated with the management of committees and task forces. Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agendas etc.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.1.1 	Records of the appointment and separation (by resignation or other means) of Commissioners.	Retain as Territory Archives
2.1.2 	Final versions of minutes, reports, determinations and recommendations, supporting papers such as briefing and discussion papers.	Retain as Territory Archives
2.1.3 	Working papers, facilitative meeting records, arrangements for meetings, agendas and notices of meetings	Destroy 7 years after last action

Representatives

The activities associated with the nomination, appointment or resignation of individuals or groups of personnel appointed by the organisation or their co-workers as official representatives to organisations, offices, unions, workers participation committees, councils or groups. Includes organisational legal representatives.


<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.2.1 	Records relating to the terms and conditions of membership of the Commission, including travel, allowances, responsibilities, disclosures of interest, remuneration etc	Destroy 7 years after last action

MARKET REGULATION

The function of industry regulation and advice to Government on industry policy.




Advice

The activities associated with offering opinions by or to the agency as to an action or judgment. Includes the process of advising.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.1.1 	Records relating to specialist or technical advice regarding market regulations, and the conduct of government business, including issues such as competition policy, competitive neutrality and trade practices, i.e., removal of resource allocation distortions that arise from government ownership of entities engaged in business activities. Advice may lead to policy development that includes appropriate levels of charges for government taxes, financial independence from government, and for entities to be subject to the same regulations as private sector competitors, and eliminate prices subsidisation by moving to full cost recovery.	Retain as Territory Archives

Committees

The activities associated with the management of committees and task forces. Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agendas etc.



<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.2.1 	Records of committees and meetings of commissioners relating to market regulation advisory activities, where the agency provides the secretariat and holds the master record. Includes: <ul style="list-style-type: none">• Appointment of members• Final versions of minutes• Reports and recommendations• Supporting documents such as briefing papers, legal opinions, discussion papers.	Retain as Territory Archives
3.2.2 	Records of committees where the agency does not provide the secretariat and holds copies of minutes.	Destroy 10 years after last action
3.2.3 	Working papers associated with facilitating meetings, including agendas and notices of meetings.	Destroy 7 years after last action

MARKET REGULATION

The function of industry regulation and advice to Government on industry policy.



Determinations (Regulated Industries)

Activities involving investigations and making determinations on pricing and operating practices of regulated industries, access to transmission and distribution networks, competition and other matters, such as consumer protection and environmental standards for utilities of energy, water, government regulated services and services provided by government monopoly (such as public transport). Determinations include consideration of consumer interests and facilitating a balance between efficiency and environmental and social conditions.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.3.1 	Summary records of complaints made about competitive neutrality and heard by the Independent Competition and Regulatory Commission.	Retain as Territory Archives
3.3.2 	Records of individual complaints made and assessed by the Commission relating to competitive neutrality.	Destroy 10 years after last action



Policy

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the agency's operating procedures are determined.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.4.1 	Records documenting the development and establishment of market regulation policies. Includes <ul style="list-style-type: none">• Policy proposals• Research papers• Results of consultations• Supporting reports• Major drafts• Final policy documents.	Retain as Territory Archives
3.4.2 	Comments and working papers documenting the development of policies.	Destroy 7 years after policy promulgated

Procedures

Standard methods of operating laid down by an organisation according to formulated policy.


<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.5.1 	Master set of agency manuals, handbooks, and directives etc detailing procedures for market regulation.	Retain as Territory Archives
3.5.2 	Development of market regulation procedures.	Destroy 7 years after production of procedures

MARKET REGULATION

The function of industry regulation and advice to Government on industry policy.

Reporting

The processes associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies) and to provide formal statements or findings of the results of the examination or investigation. Includes agenda, briefing, business and discussion papers, proposals, reports, reviews and returns.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.6.1 	Records relating to activities involving data collection, analysis or reporting on market prices for fuel, commodities or services other than those provided by utilities, such as consumer fuel prices.	Destroy 5 years after superseded

Reviewing

The activities involved in re-evaluating or re-examining products, processes, procedures, standards and systems. Includes recommendations and advice resulting from these activities.




<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.7.1 	Records relating to periodic reviews of market regulation.	Retain as Territory Archives

UTILITIES & INFRASTRUCTURE REGULATION

The function of regulating utilities and infrastructure services, such as electricity, gas, telecommunications, public transport and water supply. Includes government negotiation with service providers, and negotiations over access to supply and distribution networks. Involves pricing instructions, as well as the development of standards for consumer protection and environmental standards.


Committees

The activities associated with the management of committees and task forces. Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agendas etc.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.1.1 	Records of committees and meetings of industry regulators to develop national consistency for regulated industries, where the agency provides the secretariat and holds the master record. Includes: <ul style="list-style-type: none">• Appointment of members• Final versions of minutes• Reports and recommendations• Supporting documents such as briefing papers, legal opinions and discussion papers.	Retain as Territory Archives
4.1.2 	Records of Committees and meetings of industry regulators where agency does not provide the secretariat and holds copies of minutes.	Destroy 10 years after last action
4.1.3 	Working papers associated with facilitating meetings, including agendas and notices of meetings.	Destroy 7 years after last action

Conferences

The activities involved in arranging or attending conferences held either by the agency or by other agencies. Includes registrations, publicity and reports of participants etc.



<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.2.1 	Records of conferences, information seminars and public awareness raising conducted by the agency in relation to industry regulation determinations.	Destroy 7 years after last action

UTILITIES & INFRASTRUCTURE REGULATION

The function of regulating utilities and infrastructure services, such as electricity, gas, telecommunications, public transport and water supply. Includes government negotiation with service providers, and negotiations over access to supply and distribution networks. Involves pricing instructions, as well as the development of standards for consumer protection and environmental standards.




Determinations (Regulated Industries)

Activities involving investigations and making determinations on pricing and operating practices of regulated industries, access to transmission and distribution networks, competition and other matters, such as consumer protection and environmental standards for utilities of energy, water, government regulated services and services provided by government monopoly (such as public transport). Determinations include consideration of consumer interests and facilitating a balance between efficiency and environmental and social conditions.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.3.1 	Final published master version of issue papers, determinations, background research and summary of submissions received	Retain as Territory Archives
4.3.2 	Records showing conduct of a pricing and services determination of regulated industries, including: <ul style="list-style-type: none">• Submissions• Reviews• Public, stakeholder consultation and hearing• Background materials.	Destroy 10 years after date of final determination, or after 2 cycles of the determination, whichever is the longer

Emissions Trading

The activities associated with administering the emissions trading scheme. Emissions trading uses mandatory and market based incentives to abate greenhouse gas emissions by electricity retailers, and off-setting excess emissions through trading of abatement certificates. Accredited abatement certificates are registered.


<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.4.1 	Records relating to the development of emissions trading schemes, terms and conditions, rules and reporting requirements.	Retain as Territory Archives
4.4.2 	Records relating to monitoring of contracted greenhouse gas emissions trading scheme.	Destroy 10 years after last action
4.4.3 	Records of penalties issued where electricity generators or retailers exceed their permitted emissions.	Destroy 10 years after last action

UTILITIES & INFRASTRUCTURE REGULATION

The function of regulating utilities and infrastructure services, such as electricity, gas, telecommunications, public transport and water supply. Includes government negotiation with service providers, and negotiations over access to supply and distribution networks. Involves pricing instructions, as well as the development of standards for consumer protection and environmental standards.



Legislation

The process of making laws. Includes Local, State, Commonwealth and overseas Acts, Bills and subsections of Acts, and amendments to each.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.5.1 	Records relating to the development and amendment of regulations and operating instructions developed and authorised under legislation.	Retain as Territory Archives


Modelling

The processes involved in designing, testing and evaluating sample model profiles of systems under analysis.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.6.1 	Records relating to the processes involved in designing, testing and evaluating sample model systems from international, interstate or other industries.	Destroy 10 years after last action
4.6.2 	Records relating to models from other jurisdictions, including other states and other countries.	Destroy 5 years after last action


Reporting

The processes associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies) and to provide formal statements or findings of the results of the examination or investigation. Includes agenda, briefing, business and discussion papers, proposals, reports, reviews and returns.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.7.1 	Records relating to reports on emissions trading schemes.	Destroy 10 years after last action

Reviewing

The activities involved in re-evaluating or re-examining products, processes, procedures, standards and systems. Includes recommendations and advice resulting from these activities.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.8.1 	Records relating to reviews of the emissions trading schemes	Destroy 10 years after last action

UTILITIES & INFRASTRUCTURE REGULATION

The function of regulating utilities and infrastructure services, such as electricity, gas, telecommunications, public transport and water supply. Includes government negotiation with service providers, and negotiations over access to supply and distribution networks. Involves pricing instructions, as well as the development of standards for consumer protection and environmental standards.

Standards

The process of implementing industry or organisational benchmarks for services and processes to enhance the quality and efficiency of the agency.





<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.9.1 	The development of industry standards relating to service quality and environmental protection, including technical standards where the agency has significant input.	Retain as Territory Archives
4.9.2 	The development of rules, industry codes that set out principles, standards and other matters about the provision of utility services. Codes include matters such as customer protection and basic rights of customers; network boundaries; and, capital contributions payable by a customer for the costs incurred by the service provider in developing or augmenting its infrastructure. Utilities also develop technical codes that the agency may comment upon.	Retain as Territory Archives
4.9.3 	The development of industry guidelines for utilities to apply for licenses, outlining license conditions, and setting out reporting requirements to comply with license conditions. Includes matters such as Retailer of last resort and ringbarking, i.e. to ensure that monopoly industries do not use their monopoly power or collusion with associated businesses to give unfair advantage over competitors.	Retain as Territory Archives
4.9.4 	The development of policies and regulatory standards in association with regulators in other jurisdictions to provide consistency where a service provider operates in more than one state, to achieve environmental protection objectives; and, records to analyse and evaluate other regulatory systems or other industries.	Retain as Territory Archives
4.9.5 	The development of industry standards, including technical standards where the agency has little or no input.	Destroy 10 years after last action
4.9.6 	Seeking opinions of stakeholders and industry representatives, impact assessments, making presentations relating to establishment of the national regulatory framework and amendments to Territory policies and implementation.	Destroy 10 years after last action

UTILITIES ACCESS REGULATION

The function of regulating non-discriminatory access to and use of monopoly or near monopoly infrastructure by third parties, such as gas or water pipes, roads, railway, communication services, that are wholly or partly owned, controlled or operated by a single agency, for the delivery of utility services to retail customers. Includes investigations and research associated with access. See also UTILITIES LICENSING.



Determinations (Regulated Industries)

Activities involving investigations and making determinations on pricing and operating practices of regulated industries, access to transmission and distribution networks, competition and other matters, such as consumer protection and environmental standards for utilities of energy, water, government regulated services and services provided by government monopoly (such as public transport). Determinations include consideration of consumer interests and facilitating a balance between efficiency and environmental and social conditions.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
5.1.1 	Summary records of access determinations granted to service providers. Registration includes the date access is granted and withdrawn.	Retain as Territory Archives
5.1.2 	Records of agreements negotiated with service providers for competitors to access the transmission and distribution network. Agreements are registered.	Destroy 7 years after agreement terminated
5.1.3 	Records relating to mediation of access disputes between third parties and access providers where the parties are unable to agree on aspects of access.	Destroy 10 years after agreement terminated
5.1.4 	Records of complaints received from third parties on aspects of access by access providers. The complaint is accepted and referred to arbitration for a determination.	Destroy 5 years after last action

Inquiries

The activities associated with liaising with bodies carrying out inquiries and participating in them. Inquiries are investigations carried out by people or bodies who have been empowered to inquire and report on a subject, such as Royal Commissions, Judicial Commissions, Boards of Inquiry, Legislative Assembly and Ombudsman's inquiries. Includes the agency's participation in the inquiry by providing evidence in the form of records, submissions or staff.


<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
5.2.1 	Final published master version of issue papers, investigations, background research and summary of submissions received.	Retain as Territory Archives
5.2.2 	Records associated with conducting inquiries and investigations, (other than regulated industry determinations), such as access to infrastructure inquiries. Inquiries are formal investigations. Investigations may lead to new competitors providing infrastructure services.	Destroy 10 years after inquiry completed

UTILITIES LICENSING

The function of regulation of natural gas, electricity and water systems in the ACT, including authorisations of gas supply for transmission. Includes the development of policies, terms and conditions of licenses and monitoring compliance with license conditions.


Evaluation

The process of determining the suitability of potential or existing programs, items of equipment, systems or services in relation to meeting the needs of the given situation. Includes systems analysis and ongoing monitoring.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.1.1 	Records relating to the evaluation of and responding to complaints about licensing, terms and conditions of utilities licenses.	Destroy 10 years after last action

Fees and charges determination

The activities associated with determining fees and charges.






<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.2.1 	Records relating to assessment of fees and charges for licences.	Destroy 5 years after last action

UTILITIES LICENSING

The function of regulation of natural gas, electricity and water systems in the ACT, including authorisations of gas supply for transmission. Includes the development of policies, terms and conditions of licenses and monitoring compliance with license conditions.

Licensing


The activities associated with the granting of authoritative permission, approval, consent or licence to undertake specific tasks. Includes the licensing of individuals, groups or corporations.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.3.1 	Summary records of utility licenses granted by the agency under the Utilities Act, 2000.	Retain as Territory Archives
6.3.2 	Records relating to the granting of exemptions from utilities licences. Certain service providers, such as universities, large institutions, shopping centres, caravan parks, retirement villages, apartment buildings or office blocks may have their own utility services and network for the distribution and supply of electricity to tenants, and hence may be exempt from licensing.	Destroy 10 years after exemption is revoked
6.3.3 	Records relating to evaluation of license applications. Utilities require a license to supply or distribute electricity, gas, water or sewerage services.	Destroy 7 years after last action
6.3.4 	Records relating to the granting of authoritative permission, approval, consent or licence by the agency to operate infrastructure services, including: electricity services; electricity networks; gas pipelines; gas services; water services; and, water network or sewerage services.	Destroy 7 years after last action
6.3.5 	Records relating to unsuccessful licence applications.	Destroy 2 years after last action

Policy

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the agency's operating procedures are determined.

See also UTILITIES AND INFRASTRUCTURE REGULATION - Legislation.



<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.4.1 	Records relating to the development of agency policies for evaluation and management of utilities licensing.	Retain as Territory Archives

UTILITIES LICENSING

The function of regulation of natural gas, electricity and water systems in the ACT, including authorisations of gas supply for transmission. Includes the development of policies, terms and conditions of licenses and monitoring compliance with license conditions.



Reporting

The processes associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies) and to provide formal statements or findings of the results of the examination or investigation. Includes agenda, briefing, business and discussion papers, proposals, reports, reviews and returns.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.5.1 	Records relating to reports received from licensees relating to the utility licenses granted or revoked by the agency. Includes reports on compliance with license conditions.	Destroy 10 years after last action
6.5.2 	Records relating to data collection and analysis of regular reports from service providers.	Destroy 10 years after last action

Reviewing

The activities involved in re-evaluating or re-examining products, processes, procedures, standards and systems. Includes recommendations and advice resulting from these activities.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.6.1 	Records relating to re-evaluating or re-examining licenses, the licensing system and license conditions. Includes recommendations and advice resulting from these activities.	Destroy 10 years after last action
6.6.2 	Records relating to monitoring and annual reviews of service providers to determine whether they are complying with the terms and conditions of their license and performance standards.	Destroy 7 years after last action

CLASSES FOR RETENTION AS TERRITORY ARCHIVES


Classes for retention as Territory Archives

BUSINESS AND INDUSTRY DEVELOPMENT

The function of improving the local economy through development of a regulatory framework and support of business and financial services, industry, tourism, trade, primary industry and resource development.

Advice

The activities associated with offering opinions by or to the agency as to an action or judgment. Includes the process of advising.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
1.1.1 	Records relating to providing the government and its agencies with independent advice on industry regulation, economic management, pricing and policy issues.	Retain as Territory Archives



Classes for retention as Territory Archives

GOVERNANCE

The function of improving the local economy through development of a regulatory framework and support of business and financial services, industry, tourism, trade, primary industry and resource development.

Committees

The activities associated with the management of committees and task forces. Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agendas etc.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.1.1 	Records of the appointment and separation (by resignation or other means) of Commissioners.	Retain as Territory Archives
2.1.2 	Final versions of minutes, reports, determinations and recommendations, supporting papers such as briefing and discussion papers.	Retain as Territory Archives


Classes for retention as Territory Archives

MARKET REGULATION

The function of industry regulation and advice to Government on industry policy.


Advice

The activities associated with offering opinions by or to the agency as to an action or judgment. Includes the process of advising.

Entry No.	Description of Records	Disposal Action
3.1.1 	Records relating to specialist or technical advice regarding market regulations, and the conduct of government business, including issues such as competition policy, competitive neutrality and trade practices, i.e., removal of resource allocation distortions that arise from government ownership of entities engaged in business activities. Advice may lead to policy development that includes appropriate levels of charges for government taxes, financial independence from government, and for entities to be subject to the same regulations as private sector competitors, and eliminate prices subsidisation by moving to full cost recovery.	Retain as Territory Archives

Committees

The activities associated with the management of committees and task forces. Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agendas etc.

Entry No.	Description of Records	Disposal Action
3.2.1 	Records of committees and meetings of commissioners relating to market regulation advisory activities, where the agency provides the secretariat and holds the master record. Includes: <ul style="list-style-type: none">• appointment of members• final versions of minutes• reports and recommendations• supporting documents such as briefing papers, legal opinions, discussion papers.	Retain as Territory Archives


Classes for retention as Territory Archives

MARKET REGULATION

The function of industry regulation and advice to Government on industry policy.


Determinations (Regulated Industries)

Activities involving investigations and making determinations on pricing and operating practices of regulated industries, access to transmission and distribution networks, competition and other matters, such as consumer protection and environmental standards for utilities of energy, water, government regulated services and services provided by government monopoly (such as public transport). Determinations include consideration of consumer interests and facilitating a balance between efficiency and environmental and social conditions.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.3.1 	Summary records of complaints made about competitive neutrality and heard by the Independent Competition and Regulatory Commission.	Retain as Territory Archives


Policy

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the agency's operating procedures are determined.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.4.1 	Records documenting the development and establishment of market regulation policies. Includes <ul style="list-style-type: none">• policy proposals• research papers• results of consultations• supporting reports• major drafts• final policy documents.	Retain as Territory Archives


Procedures

Standard methods of operating laid down by an organisation according to formulated policy.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.5.1 	Master set of agency manuals, handbooks, and directives etc detailing procedures for market regulation.	Retain as Territory Archives

Reviewing

The activities involved in re-evaluating or re-examining products, processes, procedures, standards and systems. Includes recommendations and advice resulting from these activities.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.7.1 	Records relating to periodic reviews of market regulation.	Retain as Territory Archives


Classes for retention as Territory Archives

UTILITIES & INFRASTRUCTURE REGULATION

The function of regulating utilities and infrastructure services, such as electricity, gas, telecommunications, public transport and water supply. Includes government negotiation with service providers, and negotiations over access to supply and distribution networks. Involves pricing instructions, as well as the development of standards for consumer protection and environmental standards.


Committees

The activities associated with the management of committees and task forces. Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agendas etc.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.1.1 	Records of committees and meetings of industry regulators to develop national consistency for regulated industries, where the agency provides the secretariat and holds the master record. Includes: <ul style="list-style-type: none">• appointment of members• final versions of minutes• reports and recommendations• supporting documents such as briefing papers, legal opinions and discussion papers.	Retain as Territory Archives


Determinations (Regulated Industries)

Activities involving investigations and making determinations on pricing and operating practices of regulated industries, access to transmission and distribution networks, competition and other matters, such as consumer protection and environmental standards for utilities of energy, water, government regulated services and services provided by government monopoly (such as public transport). Determinations include consideration of consumer interests and facilitating a balance between efficiency and environmental and social conditions.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.3.1 	Final published master version of issue papers, determinations, background research and summary of submissions received	Retain as Territory Archives

Emissions Trading

The activities associated with administering the emissions trading scheme. Emissions trading uses mandatory and market based incentives to abate greenhouse gas emissions by electricity retailers, and off-setting excess emissions through trading of abatement certificates. Accredited abatement certificates are registered.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.4.1 	Records relating to the development of emissions trading schemes, terms and conditions, rules and reporting requirements.	Retain as Territory Archives


Classes for retention as Territory Archives

UTILITIES & INFRASTRUCTURE REGULATION

The function of regulating utilities and infrastructure services, such as electricity, gas, telecommunications, public transport and water supply. Includes government negotiation with service providers, and negotiations over access to supply and distribution networks. Involves pricing instructions, as well as the development of standards for consumer protection and environmental standards.





Legislation

The process of making laws. Includes Local, State, Commonwealth and overseas Acts, Bills and subsections of Acts, and amendments to each.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.5.1 	Records relating to the development and amendment of regulations and operating instructions developed and authorised under legislation.	Retain as Territory Archives

Standards

The process of implementing industry or organisational benchmarks for services and processes to enhance the quality and efficiency of the agency.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.9.1 	The development of industry standards relating to service quality and environmental protection, including technical standards where the agency has significant input.	Retain as Territory Archives
4.9.2 	The development of rules, industry codes that set out principles, standards and other matters about the provision of utility services. Codes include matters such as customer protection and basic rights of customers; network boundaries; and, capital contributions payable by a customer for the costs incurred by the service provider in developing or augmenting its infrastructure. Utilities also develop technical codes that the agency may comment upon.	Retain as Territory Archives
4.9.3 	The development of industry guidelines for utilities to apply for licenses, outlining license conditions, and setting out reporting requirements to comply with license conditions. Includes matters such as Retailer of last resort and ringbarking, i.e. to ensure that monopoly industries do not use their monopoly power or collusion with associated businesses to give unfair advantage over competitors.	Retain as Territory Archives
4.9.4 	The development of policies and regulatory standards in association with regulators in other jurisdictions to provide consistency where a service provider operates in more than one state, to achieve environmental protection objectives; and, records to analyse and evaluate other regulatory systems or other industries.	Retain as Territory Archives


Classes for retention as Territory Archives

UTILITIES ACCESS REGULATION

The function of regulating non-discriminatory access to and use of monopoly or near monopoly infrastructure by third parties, such as gas or water pipes, roads, railway, communication services, that are wholly or partly owned, controlled or operated by a single agency, for the delivery of utility services to retail customers. Includes investigations and research associated with access. See also UTILITIES LICENSING.


Determinations (Regulated Industries)

Activities involving investigations and making determinations on pricing and operating practices of regulated industries, access to transmission and distribution networks, competition and other matters, such as consumer protection and environmental standards for utilities of energy, water, government regulated services and services provided by government monopoly (such as public transport). Determinations include consideration of consumer interests and facilitating a balance between efficiency and environmental and social conditions.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
5.1.1 	Summary records of access determinations granted to service providers. Registration includes the date access is granted and withdrawn.	Retain as Territory Archives

Inquiries

The activities associated with liaising with bodies carrying out inquiries and participating in them. Inquiries are investigations carried out by people or bodies who have been empowered to inquire and report on a subject, such as Royal Commissions, Judicial Commissions, Boards of Inquiry, Legislative Assembly and Ombudsman's inquiries. Includes the agency's participation in the inquiry by providing evidence in the form of records, submissions or staff.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
5.2.1 	Final published master version of issue papers, investigations, background research and summary of submissions received.	Retain as Territory Archives


Classes for retention as Territory Archives

UTILITIES LICENSING

The function of regulation of natural gas, electricity and water systems in the ACT, including authorisations of gas supply for transmission. Includes the development of policies, terms and conditions of licenses and monitoring compliance with license conditions.

Licensing


The activities associated with the granting of authoritative permission, approval, consent or licence to undertake specific tasks. Includes the licensing of individuals, groups or corporations.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.3.1 	Summary records of utility licenses granted by the agency under the Utilities Act, 2000.	Retain as Territory Archives

Policy

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the agency's operating procedures are determined.

See also UTILITIES AND INFRASTRUCTURE REGULATION - Legislation.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.4.1 	Records relating to the development of agency policies for evaluation and management of utilities licensing.	Retain as Territory Archives