

Australian Capital Territory

# **Territory Records (Records Disposal Schedule – Transfer of Custody and Ownership of ACTTAB Ltd Records) Approval 2015 (No 1)**

**Notifiable instrument NI2015-364**

made under the

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

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## **1. Name of Instrument**

This instrument is the Territory Records (Records Disposal Schedule – Transfer of Custody and Ownership of ACTTAB Ltd Records) Approval 2015 (No 1)\*

## **2. Approval**

I approve the Records Disposal Schedule – Transfer of Custody and Ownership ACTTAB Ltd Records.

## **3. Commencement**

This instrument commences on the day after notification.

Danielle Wickman  
Director of Territory Records  
3 July 2015

\*Name amended under Legislation Act, s 60



## **Records Disposal Schedule**

### **Transfer of Custody and Ownership ACTTAB Ltd Records**

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## **INTRODUCTION**

ACTTAB Ltd was established in 1964 to provide a legal off-course betting system. The principal activity is the provision of totalisator wagering services. The Corporation also provides fixed odds wagering on sport, racing and other approved events that facilitate betting.

In November 2013, the ACT Government agreed to sell ACTTAB Corporation following recommendations made in the *ACTTAB Future Options Study* undertaken by PricewaterhouseCoopers. Tabcorp Holdings Pty Ltd is the successful purchaser of ACTTAB Ltd and associated issue of licences.

The *Records Disposal Schedule - Transfer of Custody and Ownership – ACTTAB Ltd Records* is the official authority for the transfer of records created or maintained by ACTTAB Ltd to the purchaser.

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 other whole of government Records Disposal Schedules.

## **PURPOSE**

The purpose of this Records Disposal Schedule is to provide for the authorised transfer of records created or maintained by ACTTAB Ltd.

## **SCOPE**

This Records Disposal Schedule applies only to those records created or maintained for the management and commercial operations of ACTTAB Ltd that have been agreed for inclusion in the contract of sale of the business by the Territory. It applies to records in any format, including electronic records within ICT systems.

## 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, agencies using this Records Disposal Schedule should apply it with caution. They should be aware that the authorisations for transfer are given in terms of the *Territory Records Act 2002* only. **An agency must not transfer any records where the agency is aware of possible legal action for which the records may be required as evidence or if there is a current records disposal freeze in effect.**

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

## GUIDELINES FOR USE

### *Coverage of authority*

The *Records Disposal Schedule - Transfer of Custody and Ownership – ACTTAB Ltd Records:*

- covers all ACTTAB Ltd records included in the contract of sale;
- is intended to be used in conjunction with other whole of government Records Disposal Schedules; 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 of the terms used. Then each of the Top Term and activity disposal sets or 'disposal classes' relating to the Top Term are described. The Top Term and activity disposal sets show the following details:

#### **Top Term**

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

#### **Activity**

Activities are the processes or operations that make up the Top Term. They are set in bold and italics below the term statement. The scope of the activity encompasses all of the transactions that take place in relation to the activity.

**Entry No.**

This is the disposal class number allocated by the Territory Records Office. 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 Top Term, Activity and Transactions.

**Disposal Action**

This describes the relevant transfer type and is the trigger event which initiates the transfer.

***Application of the schedule***

The transfer permission is given on the understanding that arrangements for the physical transfer of ACTTAB Ltd records is in accordance with Territory legislation.

Where only a copy of a record has been provided to the new owner, the original record remains in the custody and ownership of the Territory.

## **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;
- 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.

## **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:

*Corporations Act 2001 (Cth)*

*Crimes Act 1900*

*Evidence Act 2011*

*Territory-owned Corporations Act 1990*

*Territory Records Act 2002*

*Totalisator Act 2014*

## **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.

### ***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.

***Territory Archives***

Records preserved for the benefit of present and future generations.

## **RECORDS DISPOSAL SCHEDULE**

## **CUSTODY AND OWNERSHIP OF RECORDS**

The granting of permission for the transfer of the custody and/or ownership of Territory records to other jurisdictions or to new owners of the records when requested.

### ***Transfer of Custody and Ownership – ACTTAB Ltd records***

The transferring of the custody and/or ownership of ACTTAB Ltd records arising from privatisation.

*NOTE: Excludes all records required as Retain Territory Archives in other whole of government Records Disposal Schedules relating to described classes of records.  
Where original records are not able to be transferred from the Territory, copies may be provided where necessary.*

<b>Entry No.</b>	<b>Description of Records</b>	<b>Disposal Action</b>
CO2.CO1.001 	Records documenting the management of the provision, conduct and operation of bet types and betting facilities for races, sports betting and keno, including telephone and internet accounts and the issue of race results. Includes: <ul style="list-style-type: none"><li>• agreements;</li><li>• account management;</li><li>• betting services and claims;</li><li>• race results;</li><li>• customer service;</li><li>• contracting out and tendering;</li><li>• events management;</li><li>• marketing;</li><li>• research;</li><li>• product development;</li><li>• advice.</li></ul>	Transfer custody and ownership to the new owner as required
CO2.CO1.002 	Records documenting technology and telecommunications systems. Includes: <ul style="list-style-type: none"><li>• application development;</li><li>• development of control mechanisms and systems logs;</li><li>• intellectual property;</li><li>• licensing agreements;</li><li>• maintenance.</li></ul>	Transfer custody and ownership to the new owner as required

***Transfer of Custody and Ownership – ACTTAB Ltd records (Continued)***

The transferring of the custody and/or ownership of ACTTAB Ltd records arising from privatisation.

*NOTE: Excludes all records required as Retain Territory Archives in other whole of government Records Disposal Schedules relating to described classes of records.*

*Where original records are not able to be transferred from the Territory, copies may be provided where necessary.*

<b><i>Entry No.</i></b>	<b><i>Description of Records</i></b>	<b><i>Disposal Action</i></b>
CO2.CO1.003 *****	Records documenting the administration of the Transfer custody and ownership to the new owner as required  Includes: <ul style="list-style-type: none"><li>• records of personnel transferring to employment with the new owner;</li><li>• property management;</li><li>• community relations;</li><li>• equipment and stores;</li><li>• publications;</li><li>• intellectual property, including business names.</li></ul> Excludes: <ul style="list-style-type: none"><li>• financial management;</li><li>• internal and external audits;</li><li>• insurance records;</li><li>• government relations;</li><li>• ACTTAB Ltd sale records;</li><li>• records of personnel not transferring to employment with the new owner.</li></ul>	