



Australian Capital Territory

Territory Records Regulation 2009

SL2009-46

made under the

Territory Records Act 2002

Republication No 11

Effective: 11 December 2021 – 16 December 2022

Republication date: 11 December 2021

Last amendment made by [A2021-30](#)

About this republication

The republished law

This is a republication of the *Territory Records Regulation 2009*, made under the *Territory Records Act 2002* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 11 December 2021. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 11 December 2021.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



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R11
11/12/21

Territory Records Regulation 2009
Effective: 11/12/21-16/12/22

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1 Name of regulation

This regulation is the *Territory Records Regulation 2009*.

3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation.

Note 2 A definition in the dictionary applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

5 Meaning of *principal officer*—Act, s 8

The person mentioned in an item in schedule 1, column 3 is prescribed to be the principal officer for the entity mentioned in the item, column 2.

Schedule 1 Principal officers

(see s 5)

| column 1 item | column 2 entity | column 3 principal officer |
|------------------|--|--|
| 1 | ACT Ambulance Service | director-general, Justice and Community Safety Directorate |
| 2 | ACT Fire and Rescue Service | director-general Justice and Community Safety Directorate |
| 3 | ACT Rural Fire Service | director-general Justice and Community Safety Directorate |
| 4 | ACT State Emergency Service | director-general, Justice and Community Safety Directorate |
| 5 | Australian Capital Territory Electoral Commission (including augmented electoral commission under the <i>Electoral Act 1992</i>) | electoral commissioner |
| 6 | ACT Multi-Hazard Advisory Council | chairperson of the council |
| 7 | Domestic Violence Prevention Council (including the Office of Domestic Violence Project Coordinator under the <i>Domestic Violence Agencies Act 1986</i>) | chairperson of the council |
| 8 | Electoral Commissioner | electoral commissioner |
| 9 | Government Solicitor | chief solicitor |
| 10 | Human Rights Commission | any member of the commission |
| 11 | Independent Competition and Regulatory Commission for the Australian Capital Territory | senior commissioner |
| 12 | Legal Aid Commission (ACT) | chief executive officer |
| 13 | Office of the Director of Public Prosecutions | director of public prosecutions |
| 14 | Occupational Health and Safety Commissioner | OH&S commissioner |

Schedule 1 Principal officers

| column 1 item | column 2 entity | column 3 principal officer |
|--------------------------|--|--|
| 15 | official visitor | an official visitor |
| 16 | Public Trustee and Guardian for the Australian Capital Territory | public trustee and guardian |
| 17 | Registrar-General of the Australian Capital Territory | director-general, Justice and Community Safety Directorate |
| 18 | SEMSOG | director-general, Justice and Community Safety Directorate |
| 19 | Sentence Administration Board | chair of the board |
| 20 | Solicitor-General | solicitor-general |
| 21 | Victims Advisory Board | chairperson of the board |
| 22 | Victims of Crime Commissioner | victims of crime commissioner |

Dictionary

(see s 3)

Note 1 The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

Note 2 For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- ACT
- chief solicitor
- director-general (see s 163)
- director of public prosecutions
- electoral commission
- electoral commissioner
- entity
- government solicitor
- human rights commission
- independent competition and regulatory commission
- legal aid commission
- official visitor
- OH&S commissioner
- person (see s 160)
- public trustee and guardian
- registrar-general
- sentence administration board
- solicitor-general
- victims of crime commissioner.

ACT Ambulance Service means the ACT Ambulance Service established under the [Emergencies Act 2004](#), section 40.

ACT Fire and Rescue Service means ACT Fire and Rescue Service established under the [Emergencies Act 2004](#), section 43.

ACT Multi-Hazard Advisory Council means the ACT Multi-Hazard Advisory Council established under the [Emergencies Act 2004](#), section 127.

ACT Rural Fire Service means the ACT Rural Fire Service established under the *Emergencies Act 2004*, section 51.

ACT State Emergency Service means the ACT State Emergency Service established under the *Emergencies Act 2004*, section 56.

SEMSOG means the Security and Emergency Management Senior Officials Group established under the *Emergencies Act 2004*, section 141.

Victims Advisory Board means the Victims Advisory Board established under the *Victims of Crime Act 1994*, section 22A.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

| | |
|---|---|
| A = Act | NI = Notifiable instrument |
| AF = Approved form | o = order |
| am = amended | om = omitted/repealed |
| amdt = amendment | ord = ordinance |
| AR = Assembly resolution | orig = original |
| ch = chapter | par = paragraph/subparagraph |
| CN = Commencement notice | pres = present |
| def = definition | prev = previous |
| DI = Disallowable instrument | (prev...) = previously |
| dict = dictionary | pt = part |
| disallowed = disallowed by the Legislative Assembly | r = rule/subrule |
| div = division | reloc = relocated |
| exp = expires/expired | renum = renumbered |
| Gaz = gazette | R[X] = Republication No |
| hdg = heading | RI = reissue |
| IA = Interpretation Act 1967 | s = section/subsection |
| ins = inserted/added | sch = schedule |
| LA = Legislation Act 2001 | sdiv = subdivision |
| LR = legislation register | SL = Subordinate law |
| LRA = Legislation (Republication) Act 1996 | sub = substituted |
| mod = modified/modification | <u>underlining</u> = whole or part not commenced or to be expired |

Endnotes

3 Legislation history

3 Legislation history

Territory Records Regulation 2009 SL2009-46

notified LR 24 September 2009

s 1, s 2 commenced 24 September 2009 (LA s 75 (1))

remainder commenced 25 September 2009 (s 2)

as amended by

Emergencies Amendment Act 2010 A2010-17 sch 1 pt 1.1

notified LR 12 May 2010

s 1, s 2 commenced 12 May 2010 (LA s 75 (1))

sch 1 pt 1.1 commenced 20 August 2010 (s 2 and [CN2010-8](#))

Victims of Crime Amendment Act 2010 A2010-29 sch 1 pt 1.3

notified LR 31 August 2010

s 1, s 2 commenced 31 August 2010 (LA s 75 (1))

sch 1 pt 1.3 commenced 28 February 2011 (s 2 and LA s 79)

Administrative (One ACT Public Service Miscellaneous Amendments) Act 2011 A2011-22 sch 1 pt 1.150

notified LR 30 June 2011

s 1, s 2 commenced 30 June 2011 (LA s 75 (1))

sch 1 pt 1.150 commenced 1 July 2011 (s 2 (1))

Law Officers Act 2011 A2011-30 sch 1 pt 1.7

notified LR 29 August 2011

s 1, s 2 commenced 29 August 2011 (LA s 75 (1))

sch 1 pt 1.7 commenced 31 August 2011 (s 2 and [CN2011-9](#))

Statute Law Amendment Act 2012 A2012-21 sch 3 pt 3.47

notified LR 22 May 2012

s 1, s 2 commenced 22 May 2012 (LA s 75 (1))

sch 3 pt 3.47 commenced 5 June 2012 (s 2 (2))

Official Visitor Act 2012 A2012-33 sch 1 pt 1.7

notified LR 15 June 2012

s 1, s 2 commenced 15 June 2012 (LA s 75 (1))

sch 1 pt 1.7 commenced 1 September 2013 (s 2 as am by [A2013-22](#)
s 4)

Protection of Rights (Services) Legislation Amendment Act 2016 (No 2) A2016-13 sch 1 pt 1.36

notified LR 16 March 2016

s 1, s 2 commenced 16 March 2016 (LA s 75 (1))

sch 1 pt 1.36 commenced 1 April 2016 (s 2 and see [Protection of Rights \(Services\) Legislation Amendment Act 2016 A2016-1 s 2](#))

Emergencies Amendment Act 2016 A2016-33 sch 1 pt 1.21

notified LR 20 June 2016

s 1, s 2 commenced 20 June 2016 (LA s 75 (1))

sch 1 pt 1.21 commenced 21 June 2016 (s 2)

Freedom of Information Act 2016 A2016-55 sch 4 pt 4.27 (as am by A2017-14 s 19)

notified LR 26 August 2016

s 1, s 2 commenced 26 August 2016 (LA s 75 (1))

sch 4 pt 4.27 commenced 1 January 2018 (s 2 as am by [A2017-14 s 19](#))

Justice and Community Safety Legislation Amendment Act 2017 (No 2) A2017-14 s 19

notified LR 17 May 2017

s 1, s 2 commenced 17 May 2017 (LA s 75 (1))

s 19 commenced 24 May 2017 (s 2 (1))

Note This Act only amends the Freedom of Information Act 2016 [A2016-55](#).

Emergencies Amendment Act 2021 A2021-30 sch 1 pt 1.5

notified LR 10 December 2021

s 1, s 2 commenced 10 December 2021 (LA s 75 (1))

sch 1 pt 1.5 commenced 11 December 2021 (s 2)

Endnotes

4 Amendment history

4 Amendment history

Commencement

s 2 om LA s 89 (4)

Meaning of *principal officer*—Act, s 8

s 5 sub [A2016-55](#) amdt 4.48

Principal officers

sch 1 am [A2010-17](#) amdt 1.1, amdt 1.2; items renum R2 LA; [A2010-29](#) amdt 1.3; [A2011-22](#) amdt 1.425; [A2011-30](#) amdt 1.13, amdt 1.14; items renum R5 LA; [A2012-21](#) amdt 3.182; [A2016-13](#) amdt 1.136, amdt 1.137; items renum R8 LA; [A2016-33](#) amdt 1.47; [A2021-30](#) amdt 1.6

Dictionary

dict am [A2011-22](#) amdt 1.426, amdt 1.427; [A2011-30](#) amdt 1.15; [A2012-33](#) amdt 1.45; [A2016-13](#) amdts 1.138-1.140
def **ACT Bushfire Council** om [A2021-30](#) amdt 1.7
def **ACT Emergency Management Committee** om [A2010-17](#) amdt 1.3
def **ACT Fire and Rescue** ins [A2012-21](#) amdt 3.183
om [A2016-33](#) amdt 1.48
def **ACT Fire and Rescue Service** ins [A2016-33](#) amdt 1.49
def **ACT Fire Brigade** om [A2012-21](#) amdt 3.183
def **ACT Multi-Hazard Advisory Council** ins [A2021-30](#) amdt 1.8
def **Government Solicitor for the Australian Capital Territory** om [A2011-30](#) amdt 1.16
def **official visitor** om [A2012-33](#) amdt 1.46
def **SEMSOG** ins [A2010-17](#) amdt 1.
def **Victims Assistance Board** om [A2010-29](#) amdt 1.4
def **Victims of Crime Coordinator** om [A2010-29](#) amdt 1.4
def **Victims Advisory Board** ins [A2010-29](#) amdt 1.4
def **Victims of Crime Commissioner** ins [A2010-29](#) amdt 1.4
om [A2016-13](#) amdt 1.141

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

| Republication No and date | Effective | Last amendment made by | Republication for |
|---------------------------|------------------------------|--------------------------|--|
| R1 25 Sept 2009 | 25 Sept 2009– 19 Aug 2010 | not amended | new regulation |
| R2 20 Aug 2010 | 20 Aug 2010– 27 Feb 2011 | A2010-17 | amendments by A2010-17 |
| R3 28 Feb 2011 | 28 Feb 2011– 30 June 2011 | A2010-29 | amendments by A2010-29 |
| R4 1 July 2011 | 1 July 2011– 30 Aug 2011 | A2011-22 | amendments by A2011-22 |
| R5 31 Aug 2011 | 31 Aug 2011– 4 June 2012 | A2011-30 | amendments by A2011-30 |
| R6 5 June 2012 | 5 June 2012– 31 Aug 2013 | A2012-21 | amendments by A2012-21 |
| R7 1 Sept 2013 | 1 Sept 2013– 31 Mar 2016 | A2012-33 | amendments by A2012-33 |
| R8 1 Apr 2016 | 1 Apr 2016– 20 June 2016 | A2016-13 | amendments by A2016-13 |
| R9 21 June 2016 | 21 June 2016– 31 Dec 2017 | A2016-33 | amendments by A2016-33 |
| R10 1 Jan 2018 | 1 Jan 2018– 10 Dec 2021 | A2017-14 | amendments by A2016-55 as amended by A2017-14 |

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