

Australian Capital Territory

Territory Records (Records Disposal Schedule – ACT Law Courts and Tribunals Records) Approval 2004 (No 1)

Notifiable instrument NI2004—478

made under the

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

I approve the Records Disposal Schedule – ACT Law Courts and Tribunals Records.

David Wardle
Director of Territory Records
10 December 2004



*Records Disposal Schedule
ACT Law Courts & Tribunals Records*

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INTRODUCTION

The *Records Disposal Schedule – ACT Law Courts & Tribunals Records* is the official authority for the disposal of records relating to ACT Law Courts and Tribunals matters.

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 ACT Law Courts and Tribunals records created or maintained by ACT Government agencies.

SCOPE

This Records Disposal Schedule applies to all ACT Government agencies as defined in the *Territory Records Act 2002*.

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 – ACT Law Courts & Tribunals 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 ACT Law Courts and Tribunals 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 – ACT Law Courts & Tribunals Records:

- covers all ACT Law Courts and Tribunals 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.

This Records Disposal Schedule covers the following agencies;

ACT Law Courts & Tribunals

The ACT Law Courts & Tribunals (LC&T) consists of three agencies identified by the *Territory Records Act 2002*, namely the Supreme Court, the Magistrates Court and the Coroner's Court. In addition, the ACT LC&T consists of the Children's Court, the Small Claims Court and the Ngambra Circle Sentencing Court, which are part of the Magistrates Court, and the Tribunals. The jurisdictions for each of these Courts and Tribunals are outlined below.

ACT Supreme Court

The ACT Supreme Court is a superior court of record, and is the senior court of original jurisdiction in the Australian Capital Territory. The Supreme Court has unlimited civil and criminal jurisdictions, and exercises an appellate and supervisory jurisdiction in respect of the ACT Magistrates Court and the ACT Tribunals. Appeals from the Supreme Court lie to the ACT Court of Appeal.

ACT Magistrates Court

The ACT Magistrates Court has jurisdiction to:

- deal with criminal charges laid against persons who are **over** the age of 18 years;
- deal in the Registry with the following matters:
 - Restricted and Special Licences;
 - Social Security Summonses;
 - Certificates of Conviction;
 - Section 23 set aside and Section 23AA matters;
 - Firearm destruction;
 - Dog control matters;
 - Taxation Fines;
 - ANU Parking;
 - Fail to Vote;
 - Criminal Charges and Traffic Summonses; and
 - Warrants for Non Payment of Fines;
- hear and determine civil matters up to the value of \$50,000;
- determine the following types of matters:
 - Workers Compensation;
 - Auctioneers Licences;
 - Mutual Recognition;
 - Victims of Crime matters; and
 - Applications that include such things as the return of motor vehicles, Domestic Relationships, Infant Settlements and Commercial Lease Disputes (adjudication of these matters, previously dealt with by the Tenancy Tribunal which no longer exists, under the *Leases (Commercial & Retail) Act 2001*);
- deal with causes of action in the Small Claims Court (excluding disputes in respect to residential tenancy) where any person, business, corporate body or Government Agency seeks recovery of a debt, damage to property or re-dress for a civil dispute for which the amount involved is not over \$10,000;

- hear and determine cases in the Small Claims Court under the *Common Boundaries Act 1981*; and
- make orders (two types - domestic violence or personal protection) under the *Protection Orders Act 2001* to protect people from threats of violence, property damage and harassing/offensive behaviour.

ACT Coroner's Court

The ACT Coroner's Court has jurisdiction to:

- inquire into and record the manner and cause of death of a person under specific circumstances;
- inquire into the cause and origin of a fire that has destroyed or damaged property; and
- hold an inquiry into the cause and origin of a disaster, if requested by and consented to by the Attorney-General.

ACT Children's Court

The ACT Children's Court has jurisdiction to:

- deal with criminal and traffic charges and summonses against persons who are **under** the age of 18 years;
- deal with care applications involving children that have been subject to abuse or neglect;
- handle in the Registry the following Family Law processes:
 - act as a Collector of maintenance for child maintenance and spousal maintenance;
 - in some cases deal with divorce proceedings and property settlements and, in some instances, residence (custody) and contact (access); and
- deal in the Registry with consent for under-age marriages under the *Marriage Act 1961* where at least one party is under the age of 18 years.

ACT Tribunals

The ACT Tribunals have jurisdiction as follows:

- Administrative Appeals Tribunal (AAT) under the *Administrative Appeals Tribunal Act 1989* to review decisions made by ACT Government Departments or Agencies in either the General Division or the Land and Planning Division.
- Credit Tribunal (CT) administered under the *Credit Act 1985*, the *Consumer Credit (ACT) Code 1996*, the *Consumer Credit Act 1995* and the *Consumer Credit (Administration) Act 1996* to hear and determine disputes about credit contracts between borrowers and financial institutions such as banks, building societies and other finance providers.
- Discrimination Tribunal (DT) in accordance with the *Discrimination Act 1991* where a person may lodge a complaint with the Discrimination Commissioner. Agreements reached with the Discrimination Commissioner are required to be endorsed by the Tribunal.
- Guardianship and Management of Property Tribunal (GMPT) under the *Guardianship and Management of Property Act 1991* to provide legal authority in the form of guardianship and management orders to an adult(s), whether they be a family member, friend or other suitable person, of adult persons who have

impaired decision making ability so that the person's affairs, personal or financial, may be conducted appropriately.

- Mental Health Tribunal (MHT) under the *Mental Health (Treatment and Care) Act 1994* to hear and determine applications for orders for the treatment and care of people who are suffering from a mental illness or a mental dysfunction. It also hears applications for the release of people detained under emergency detention, decides whether a person charged with a criminal offence is fit to plead and can make orders for the treatment and care as well as providing advice to the Court before a person is sentenced.
- Residential Tenancies Tribunal (RTT) under the *Residential Tenancies Act 1997* to hear and determine all matters arising from both private and public residential tenancy agreements.

ACT Law Courts & Tribunals Functions

Within each of the above Courts and Tribunals there are a number of business functions, activities and recurring transactions that fit into the overall hierarchical business classification scheme of Australian Standard AS ISO 15489, *Records Management* used as the model for ACT best practice recordkeeping. For ease of reference and subsequent disposal action, the following business functions have been used to cover all the recordkeeping in the ACT Law Courts and Tribunals.

The functions within the Supreme Court are:

- Criminal Case Records
- Civil Case Records
- Probate Records
- Matrimonial Causes Records
- Adoption Records
- Sheriffs Process Records
- Appeals from Magistrates Court Case Records
- Appeals from Tribunals Case Records
- ACT Court of Appeal Case Records

The functions within the Magistrates Court including the Coroner's Court, the Children's Court, the Small Claims Court and the Ngambra Circle Sentencing Court are:

- Criminal Case Records
- Civil Case Records and Small Claims Court Records
- Adoption Records until 1966
- Coronial Inquiry Records
- Children's Court Case Records

The functions within the Tribunals are:

- ACT Tribunals Case Records (i.e., Administrative Appeals Tribunal (AAT), Credit Tribunal (CT), Discrimination Tribunal (DT), Guardianship and Management of Property Tribunal (GMPT), Mental Health Tribunal (MHT) and Residential Tenancies Tribunal (RTT)).

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;
- bench sheets;
- 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:

ACT Freedom of Information Act 1989
Administrative Appeals Tribunal Act 1989
Adoption Act 1993
Children and Young People Act 1999
Coroners Act 1997
Credit Act 1985
Discrimination Act 1991
Evidence Act 1995
Guardianship and Management of Property Act 1991
Magistrates and Coroner's Courts (Registrar) Act 1991
Magistrates Court (Civil Jurisdiction) Act 1982
Magistrates Court Act 1930
Mental Health (Treatment and Care) Act 1994
Privacy Act 1988
Residential Tenancies Act 1997
Supreme Court Act 1933
Territory Records Act 2002

DEFINITIONS

Agency

The Executive, the Supreme Court, the Magistrates Court, the Coroner's Court, the Legislative Assembly Secretariat, an administrative unit, any other prescribed authority, a board of inquiry, a judicial or royal commission, 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 Principal Officer of an agency is:

- the Chief Justice for the Supreme Court;
- the Chief Magistrate for the Magistrates Court and the Coroner's Court; and where appropriate
- the chief executive of an administrative unit.

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

ACT COURT OF APPEAL RECORDS

The function of dealing with appeals to the ACT Court of Appeal.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

ACT TRIBUNALS RECORDS

The function of providing all the administrative resources for the operation of the following Tribunals:

- Administrative Appeals Tribunal (AAT)
- Credit Tribunal (CT)
- Discrimination Tribunal (DT)
- Guardianship and Management of Property Tribunal (GMPT)
- Mental Health Tribunal (MHT)
- Residential Tenancies Tribunal (RTT)

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

ADOPTION RECORDS

The function of dealing with adoption matters.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

APPEALS IN THE SUPREME COURT FROM MAGISTRATES COURT RECORDS

The function of dealing in the Supreme Court with Magistrates Court Appeals.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

APPEALS IN THE SUPREME COURT FROM THE TRIBUNALS RECORDS

The function of dealing in the Supreme Court with Tribunals Appeals.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

CHILDREN'S COURT RECORDS

The function of dealing with criminal and traffic charges and summonses against persons who are under the age of 18 years. Also, dealing with care applications involving children that have been subject to abuse or neglect.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

CIVIL RECORDS

The function of hearing and determining civil matters up to the value of \$50,000 in the Magistrates Court. The hearing and determining of civil matters is unlimited in the Supreme Court.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

CORONIAL RECORDS

The function of inquiring into and recording the manner and cause of death of a person under specific circumstances. Also, inquiring into the cause and origin of a fire that has destroyed or damaged property. In addition, if requested by and consented to by the Attorney-General, to inquire into the cause and origin of a disaster.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

CRIMINAL RECORDS

The function of dealing with criminal charges laid against persons who are over the age of 18 years.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

MATRIMONIAL CAUSES RECORDS

The function of dealing with matrimonial causes matters.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

PROBATE RECORDS

The function of dealing with probate matters.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

SHERIFFS PROCESS RECORDS

The function of dealing with sheriffs process matters.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one file, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

RECORDS DISPOSAL SCHEDULE

ACT COURT OF APPEAL RECORDS

The function of dealing with appeals to the ACT Court of Appeal.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
1.1.1 ████████████████	All ACT Court of Appeal registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
1.1.2 ████████████████	Bench Sheets for the ACT Court of Appeal.	Retain as Territory Archives
1.1.3 ████████████████	ACT Court of Appeal Case Files (file prefix ACTCA).	Retain as Territory Archives
1.1.4 ████████████████	Records of the ACT Court of Appeal (Transcripts).	Retain as Territory Archives

ACT TRIBUNALS RECORDS

The function of providing all the administrative resources for the operation of the following Tribunals:

- Administrative Appeals Tribunal (AAT)
- Credit Tribunal (CT)
- Discrimination Tribunal (DT)
- Guardianship and Management of Property Tribunal (GMPT)
- Mental Health Tribunal (MHT)
- Residential Tenancies Tribunal (RTT)

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.1.1 ████████████████	All Tribunal registers, indexes, card systems including electronic indexes and registers.	Retain as Territory Archives
2.1.2 ████████████████	Administrative Appeals Tribunal (AAT) orders, directions or decisions.	Retain as Territory Archives
2.1.3 ████████████████	Register of all judgments made by the Residential Tenancies Tribunal (in a separate register).	Retain as Territory Archives
2.1.4 ████████████████	Residential Tenancies Tribunal (RTT) Case Files (file prefix RT).	Retain as Territory Archives
2.1.5 ████████████████	AAT documents relating to a proceeding.	Destroy 7 years after last action
2.1.6 ████████████████	AAT Case Files (file prefix AT).	Destroy 7 years after last action
2.1.7 ████████████████	Credit Tribunal (CT) Case Files (file prefix CT).	Destroy Section 85, 86 and all non-licence matters 3 years after the completion of the matter.
2.1.8 ████████████████	Discrimination Tribunal (DT) Case Files (file prefix DT).	Retain for a period of 99 years

ADOPTION RECORDS

The function of dealing with adoption matters.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.1.1 ████████████████	All Supreme Court Adoption registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
3.1.2 ████████████████	Bench Sheets for Adoption in the Supreme Court.	Retain as Territory Archives
3.1.3 ████████████████	Adoption Case Files in the Supreme Court (file prefix AD).	Retain as Territory Archives
3.1.4 ████████████████	Records of Adoption Proceedings (Transcripts) in the Supreme Court.	Retain as Territory Archives
3.1.5 ████████████████	ACT Adoption Records from 1930 until 1966 in the Magistrates Court (Adoption cases prior to 1966 were initially handled by the Court of Petty Sessions renamed the Magistrates Court).	Retain as Territory Archives

APPEALS IN THE SUPREME COURT FROM MAGISTRATES COURT RECORDS

The function of dealing in the Supreme Court with Magistrates Court Appeals.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.1.1 ■■■■■■■■■■■■■■■■■■■■	All Appeals in the Supreme Court from the Magistrates Court registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
4.1.2 ■■■■■■■■■■■■■■■■■■■■	Bench Sheets for Appeals in the Supreme Court from the Magistrates Court.	Retain as Territory Archives
4.1.3 ■■■■■■■■■■■■■■■■■■■■	Appeals in the Supreme Court from the Magistrates Court Case Files (file prefix SCA).	Retain as Territory Archives
4.1.4 ■■■■■■■■■■■■■■■■■■■■	Records of Appeals in Supreme Court from the Magistrates Court (Transcripts).	Retain as Territory Archives

APPEALS IN THE SUPREME COURT FROM THE TRIBUNALS RECORDS

The function of dealing in the Supreme Court with Tribunals Appeals.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
5.1.1 ████████████████████	All Appeals in the Supreme Court from the Tribunals registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
5.1.2 ████████████████████	Bench Sheets for Appeals in the Supreme Court from the Tribunals.	Retain as Territory Archives
5.1.3 ████████████████████	Appeals in the Supreme Court from the Tribunals Case Files (file prefix SCA).	Retain as Territory Archives
5.1.4 ████████████████████	Records of Appeals in Supreme Court from the Tribunals (Transcripts).	Retain as Territory Archives

CHILDREN'S COURT RECORDS

The function of dealing with criminal and traffic charges and summonses against persons who are under the age of 18 years. Also, dealing with care applications involving children that have been subject to abuse or neglect.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

Entry No.	Description of Records	Disposal Action
6.1.1 ████████████████	All Children's Court registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
6.1.2 ████████████████	Bench Sheets for Children's Court matters.	Retain as Territory Archives
6.1.3 ████████████████	Bench Sheets and last orders for Care matters.	Retain as Territory Archives
6.1.4 ████████████████	Bench Sheets, extracts of orders, and originating process on Application to the Court under the Maintenance Ordinance in the Magistrates Court.	Retain as Territory Archives
6.1.5 ████████████████	Bench Sheets, orders and payment records for Maintenance Order (Enforcement) (file prefix: Initial letter of payers surname and number in sequence).	Retain as Territory Archives
6.1.6 ████████████████	Bench Sheets and orders for Family Law matters.	Retain as Territory Archives
6.1.7 ████████████████	Children's Court Case Files (file prefix CH).	Destroy 10 years after person is 18 years old
6.1.8 ████████████████	Care Case Files (file prefix CE).	Destroy 6 years after person is 18 years old
6.1.9 ████████████████	Care Case Files (file prefix CE) where the person who is subject of an order dies.	Destroy 6 years after last action
6.1.10 ████████████████	Plea by Post Case Files (file prefix CP).	Destroy 10 years after last action
6.1.11 ████████████████	Voluntary Attendance at Court (VATAC) Case Files (file prefix CV).	Destroy 10 years after last action
6.1.12 ████████████████	Family Law, including all maintenance order matters and office enforcement, Case Files (file prefix FM).	Destroy 10 years after last action
6.1.13 ████████████████	Records of Children's Court Proceedings (Sound Recordings and Transcripts). Any part of proceedings listed in Magistrates Court Act 1930 Section 54A(6) must be reduced to transcript before erasing.	Destroy 7 years after completion of proceedings.

CIVIL RECORDS

The function of hearing and determining civil matters up to the value of \$50,000 in the Magistrates Court. The hearing and determining of civil matters is unlimited in the Supreme Court.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
7.1.1 ████████████████	All Supreme Court Civil registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
7.1.2 ████████████████	Bench Sheets for Civil matters in the Supreme Court.	Retain as Territory Archives
7.1.3 ████████████████	Civil Case Files in the Supreme Court (file prefix SC).	Retain as Territory Archives
7.1.4 ████████████████	Bankrupt Persons Case Files in the Supreme Court (Bailiff) (file prefix BA).	Retain as Territory Archives
7.1.5 ████████████████	Victims Compensation Case Files in the Supreme Court (file prefix CIC).	Retain as Territory Archives
7.1.6 ████████████████	Records of Civil Proceedings (Transcripts) in the Supreme Court.	Retain as Territory Archives
7.1.7 ████████████████	All Magistrates Court Civil registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
7.1.8 ████████████████	Bench Sheets, extracts of judgments, interlocutory orders and originating process for Civil Summons in the Magistrates Court.	Retain as Territory Archives
7.1.9 ████████████████	Bench Sheets, third Schedule (Service and Execution of Process Act) Certificate and the most recent affidavit of cognizance filed by the judgment creditor in the Magistrates Court.	Retain as Territory Archives
7.1.10 ████████████████	Bench Sheets, extracts of orders, and originating process on Application files, Fair Rent Appeal Case files and Workers Compensation files in the Magistrates Court.	Retain as Territory Archives
7.1.11 ████████████████	Bench Sheets for Domestic Violence and Restraining Order matters in the Magistrates Court.	Retain as Territory Archives
7.1.12 ████████████████	Bench sheets for Small Claim Summons matters.	Retain as Territory Archives
7.1.13 ████████████████	Civil Summons Case Files in the Magistrates Court (file prefix CS, ORD, SPC).	Destroy 10 years after completion
7.1.14 ████████████████	Mutual Recognition Case Files in the Magistrates Court (file prefix MR).	Destroy 10 years after completion
7.1.15 ████████████████	Criminal Injuries Compensation/Victims of Crime Financial Assistance Case Files in the Magistrates Court (file prefix CI).	Destroy 10 years after completion

CIVIL RECORDS

The function of hearing and determining civil matters up to the value of \$50,000 in the Magistrates Court. The hearing and determining of civil matters is unlimited in the Supreme Court.

Cases (Continued)

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.





Entry No.	Description of Records	Disposal Action
7.1.16 ████████████████████	Application Case Files including applications for under-age marriages in the Magistrates Court (file prefix APP).	Destroy 10 years after completion
7.1.17 ████████████████████	Domestic Violence Applications and Restraining Order Case Files (file prefix DV) in the Magistrates Court.	Destroy 20 years after last action
7.1.18 ████████████████████	Protection Order Case Files in the Magistrates Court (file prefix RO and WO).	Destroy 20 years after last action
7.1.19 ████████████████████	Fair Rent Appeals Case Files in the Magistrates Court.	Destroy when references ceases
7.1.20 ████████████████████	Workers Compensation Case Files in the Magistrates Court (file prefix WC).	Destroy 55 years following completion
7.1.21 ████████████████████	Auctioneers Licence Case Files in the Magistrates Court (file prefix AU).	Destroy 10 years after completion
7.1.22 ████████████████████	Commercial Leases Case Files in the Magistrates Court (file prefix CL).	Destroy 10 years after completion
7.1.23 ████████████████████	Small Claims Case Files in the Magistrates Court (file prefix CS).	Destroy 10 years after completion
7.1.24 ████████████████████	Small Claims Summons Case Files in the Magistrates Court (old cases prior to 1988) (file prefix PSC).	Destroy 10 years after completion
7.1.25 ████████████████████	Australian Register of Judgments in the Magistrates Court (file prefix ARJ).	Destroy 10 years after completion
7.1.26 ████████████████████	Records of Civil Proceedings (Sound Recordings and Transcripts) in the Magistrates Court. Any part of proceedings listed in Magistrates Court Act 1930 Section 54A(6) must be reduced to transcript before erasing.	Destroy 7 years after completion of proceedings

CORONIAL RECORDS

The function of inquiring into and recording the manner and cause of death of a person under specific circumstances. Also, inquiring into the cause and origin of a fire that has destroyed or damaged property. In addition, if requested by and consented to by the Attorney-General, to inquire into the cause and origin of a disaster.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
8.1.1 	All Coronial registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
8.1.2 	Bench Sheets for Coronial matters.	Retain as Territory Archives
8.1.3 	Coronial Case Files (file prefix CD, CF, SK).	Retain as Territory Archives
8.1.4 	Records of Coronial Proceedings (Sound Recordings and Transcripts) in the Magistrates Court.	Destroy 7 years after completion of proceedings.

CRIMINAL RECORDS

The function of dealing with criminal charges laid against persons who are over the age of 18 years.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.





Entry No.	Description of Records	Disposal Action
9.1.1 ████████████████	All Supreme Court criminal registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
9.1.2 ████████████████	Bench Sheets for Criminal Charge in the Supreme Court.	Retain as Territory Archives
9.1.3 ████████████████	Criminal Charge Case Files in the Supreme Court (file prefix SCC).	Retain as Territory Archives
9.1.4 ████████████████	Enforcement Case Files in the Supreme Court (file prefix SE).	Retain as Territory Archives
9.1.5 ████████████████	Jury Records in the Supreme Court	Retain as Territory Archives
9.1.6 ████████████████	Search Warrant Records in the Supreme Court	Retain as Territory Archives
9.1.7 ████████████████	Records of Criminal Proceedings (Transcripts) in the Supreme Court.	Retain as Territory Archives
9.1.8 ████████████████	All Magistrates Court criminal registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
9.1.9 ████████████████	Bench Sheets for Criminal Charge and Plea by Post matters in the Magistrates Court.	Retain as Territory Archives
9.1.10 ████████████████	Criminal Charge/Summons Case Files in the Magistrates Court (file prefix CC).	Destroy 10 years after completion
9.1.11 ████████████████	Voluntary Agreement Case Number Voluntary Attendance at Court (VATAC) Files in the Magistrates Court (file prefix VA).	Destroy 10 years after completion
9.1.12 ████████████████	Civil Application for set aside/licence/dispute of fine Case Files in the Magistrates Court (file prefix KP).	Destroy 10 years after completion
9.1.13 ████████████████	Restricted/Special Licences Case Files in the Magistrates Court (file prefix RL & SL).	Destroy 10 years after completion
9.1.14 ████████████████	Plea by Post Summons Case Files (file prefix PP) in the Magistrates Court.	Destroy 10 years after completion
9.1.15 ████████████████	Search Warrant Records in the Magistrates Court.	Destroy 10 years after completion
9.1.16 ████████████████	Records of Criminal Proceedings (Sound Recordings and Transcripts) in the Magistrates Court.	Destroy 7 years after completion
	Any part of proceedings listed in Magistrates Court Act 1930 Section 54A(6) must be reduced to transcript before erasing.	

MATRIMONIAL CAUSES RECORDS

The function of dealing with matrimonial causes matters.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
10.1.1 	All Supreme Court Matrimonial Causes registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
10.1.2 	Bench Sheets for Matrimonial Causes in the Supreme Court.	Retain as Territory Archives
10.1.3 	Matrimonial Causes Case Files in the Supreme Court (file prefix MC).	Retain as Territory Archives
10.1.4 	Records of Matrimonial Causes Proceedings (Transcripts) in the Supreme Court.	Retain as Territory Archives

CLASSES FOR RETENTION AS TERRITORY ARCHIVES





Classes for retention as Territory Archives

ACT COURT OF APPEAL RECORDS

The function of dealing with appeals to the ACT Court of Appeal.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
1.1.1 	All ACT Court of Appeal registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
1.1.2 	Bench Sheets for the ACT Court of Appeal.	Retain as Territory Archives
1.1.3 	ACT Court of Appeal Case Files (file prefix ACTCA).	Retain as Territory Archives
1.1.4 	Records of the ACT Court of Appeal (Transcripts).	Retain as Territory Archives

Classes for retention as Territory Archives





ACT TRIBUNALS RECORDS

The function of providing all the administrative resources for the operation of the following Tribunals:

- Administrative Appeals Tribunal (AAT)
- Credit Tribunal (CT)
- Discrimination Tribunal (DT)
- Guardianship and Management of Property Tribunal (GMPT)
- Mental Health Tribunal (MHT)
- Residential Tenancies Tribunal (RTT)

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.1.1 	All Tribunal registers, indexes, card systems including electronic indexes and registers.	Retain as Territory Archives
2.1.2 	Administrative Appeals Tribunal (AAT) orders, directions or decisions.	Retain as Territory Archives
2.1.3 	Register of all judgments made by the Residential Tenancies Tribunal (in a separate register).	Retain as Territory Archives
2.1.4 	Residential Tenancies Tribunal (RTT) Case Files (file prefix RT).	Retain as Territory Archives

Classes for retention as Territory Archives

ADOPTION RECORDS

The function of dealing with adoption matters.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.1.1 ████████████████	All Supreme Court Adoption registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
3.1.2 ████████████████	Bench Sheets for Adoption in the Supreme Court.	Retain as Territory Archives
3.1.3 ████████████████	Adoption Case Files in the Supreme Court (file prefix AD).	Retain as Territory Archives
3.1.4 ████████████████	Records of Adoption Proceedings (Transcripts) in the Supreme Court.	Retain as Territory Archives
3.1.5 ████████████████	ACT Adoption Records from 1930 until 1966 in the Magistrates Court (Adoption cases prior to 1966 were initially handled by the Court of Petty Sessions renamed the Magistrates Court).	Retain as Territory Archives





Classes for retention as Territory Archives

APPEALS IN THE SUPREME COURT FROM MAGISTRATES COURT RECORDS

The function of dealing in the Supreme Court with Magistrates Court Appeals.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.1.1 	All Appeals in the Supreme Court from the Magistrates Court registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
4.1.2 	Bench Sheets for Appeals in the Supreme Court from the Magistrates Court.	Retain as Territory Archives
4.1.3 	Appeals in the Supreme Court from the Magistrates Court Case Files (file prefix SCA).	Retain as Territory Archives
4.1.4 	Records of Appeals in Supreme Court from the Magistrates Court (Transcripts).	Retain as Territory Archives

Classes for retention as Territory Archives

APPEALS IN THE SUPREME COURT FROM THE TRIBUNALS RECORDS

The function of dealing in the Supreme Court with Tribunals Appeals.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
5.1.1 ■■■■■■■■■■■■■■■■■■■■	All Appeals in the Supreme Court from the Tribunals registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
5.1.2 ■■■■■■■■■■■■■■■■■■■■	Bench Sheets for Appeals in the Supreme Court from the Tribunals.	Retain as Territory Archives
5.1.3 ■■■■■■■■■■■■■■■■■■■■	Appeals in the Supreme Court from the Tribunals Case Files (file prefix SCA).	Retain as Territory Archives
5.1.4 ■■■■■■■■■■■■■■■■■■■■	Records of Appeals in Supreme Court from the Tribunals (Transcripts).	Retain as Territory Archives

Classes for retention as Territory Archives

CHILDREN'S COURT RECORDS

The function of dealing with criminal and traffic charges and summonses against persons who are under the age of 18 years. Also, dealing with care applications involving children that have been subject to abuse or neglect.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.1.1 ████████████████████	All Children's Court registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
6.1.2 ████████████████████	Bench Sheets for Children's Court matters.	Retain as Territory Archives
6.1.3 ████████████████████	Bench Sheets and last orders for Care matters.	Retain as Territory Archives
6.1.4 ████████████████████	Bench Sheets, extracts of orders, and originating process on Application to the Court under the Maintenance Ordinance in the Magistrates Court.	Retain as Territory Archives
6.1.5 ████████████████████	Bench Sheets, orders and payment records for Maintenance Order (Enforcement) (file prefix: Initial letter of payers surname and number in sequence).	Retain as Territory Archives
6.1.6 ████████████████████	Bench Sheets and orders for Family Law matters.	Retain as Territory Archives

Classes for retention as Territory Archives

CIVIL RECORDS

The function of hearing and determining civil matters up to the value of \$50,000 in the Magistrates Court. The hearing and determining of civil matters is unlimited in the Supreme Court.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
7.1.1 ████████████████	All Supreme Court Civil registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
7.1.2 ████████████████	Bench Sheets for Civil matters in the Supreme Court.	Retain as Territory Archives
7.1.3 ████████████████	Civil Case Files in the Supreme Court (file prefix SC).	Retain as Territory Archives
7.1.4 ████████████████	Bankrupt Persons Case Files in the Supreme Court (Bailiff) (file prefix BA).	Retain as Territory Archives
7.1.5 ████████████████	Victims Compensation Case Files in the Supreme Court (file prefix CIC).	Retain as Territory Archives
7.1.6 ████████████████	Records of Civil Proceedings (Transcripts) in the Supreme Court.	Retain as Territory Archives
7.1.7 ████████████████	All Magistrates Court Civil registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
7.1.8 ████████████████	Bench Sheets, extracts of judgments, interlocutory orders and originating process for Civil Summons in the Magistrates Court.	Retain as Territory Archives
7.1.9 ████████████████	Bench Sheets, third Schedule (Service and Execution of Process Act) Certificate and the most recent affidavit of cognisance filed by the judgment creditor in the Magistrates Court.	Retain as Territory Archives
7.1.10 ████████████████	Bench Sheets, extracts of orders, and originating process on Application files, Fair Rent Appeal Case files and Workers Compensation files in the Magistrates Court.	Retain as Territory Archives
7.1.11 ████████████████	Bench Sheets for Domestic Violence and Restraining Order matters in the Magistrates Court.	Retain as Territory Archives
7.1.12 ████████████████	Bench sheets for Small Claim Summons matters.	Retain as Territory Archives




Classes for retention as Territory Archives

CORONIAL RECORDS

The function of inquiring into and recording the manner and cause of death of a person under specific circumstances. Also, inquiring into the cause and origin of a fire that has destroyed or damaged property. In addition, if requested by and consented to by the Attorney-General, to inquire into the cause and origin of a disaster.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
8.1.1 	All Coronial registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
8.1.2 	Bench Sheets for Coronial matters.	Retain as Territory Archives
8.1.3 	Coronial Case Files (file prefix CD, CF, SK).	Retain as Territory Archives

Classes for retention as Territory Archives

CRIMINAL RECORDS

The function of dealing with criminal charges laid against persons who are over the age of 18 years.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
9.1.1 ■■■■■■■■■■■■■■■■■■■■	All Supreme Court criminal registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
9.1.2 ■■■■■■■■■■■■■■■■■■■■	Bench Sheets for Criminal Charge in the Supreme Court.	Retain as Territory Archives
9.1.3 ■■■■■■■■■■■■■■■■■■■■	Criminal Charge Case Files in the Supreme Court (file prefix SCC).	Retain as Territory Archives
9.1.4 ■■■■■■■■■■■■■■■■■■■■	Enforcement Case Files in the Supreme Court (file prefix SE).	Retain as Territory Archives
9.1.5 ■■■■■■■■■■■■■■■■■■■■	Jury Records in the Supreme Court	Retain as Territory Archives
9.1.6 ■■■■■■■■■■■■■■■■■■■■	Search Warrant Records in the Supreme Court	Retain as Territory Archives
9.1.7 ■■■■■■■■■■■■■■■■■■■■	Records of Criminal Proceedings (Transcripts) in the Supreme Court.	Retain as Territory Archives
9.1.8 ■■■■■■■■■■■■■■■■■■■■	All Magistrates Court criminal registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
9.1.9 ■■■■■■■■■■■■■■■■■■■■	Bench Sheets for Criminal Charge and Plea by Post matters in the Magistrates Court.	Retain as Territory Archives

Classes for retention as Territory Archives MATRIMONIAL CAUSES RECORDS

The function of dealing with matrimonial causes matters.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
10.1.1 ████████████████████	All Supreme Court Matrimonial Causes registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
10.1.2 ████████████████████	Bench Sheets for Matrimonial Causes in the Supreme Court.	Retain as Territory Archives
10.1.3 ████████████████████	Matrimonial Causes Case Files in the Supreme Court (file prefix MC).	Retain as Territory Archives
10.1.4 ████████████████████	Records of Matrimonial Causes Proceedings (Transcripts) in the Supreme Court.	Retain as Territory Archives





Classes for retention as Territory Archives

PROBATE RECORDS

The function of dealing with probate matters.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
11.1.1 	All Supreme Court Probate registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
11.1.2 	Bench Sheets for Probate in the Supreme Court.	Retain as Territory Archives
11.1.3 	Probate Case Files in the Supreme Court (file prefix P).	Retain as Territory Archives
11.1.4 	Records of Probate Proceedings (Transcripts) in the Supreme Court.	Retain as Territory Archives



Classes for retention as Territory Archives

SHERIFFS PROCESS RECORDS

The function of dealing with sheriffs process matters.

Cases

This activity descriptor should be used where there is a need to keep a number of activities together on one or more files, for legislative or operational reasons. Case files relate to particular incidents, persons, organisations or clients.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
12.1.1 	All LC&T Sheriffs Process registers, indexes and card systems including electronic indexes and registers.	Retain as Territory Archives
12.1.2 	Sheriffs Process (Writs of Execution and Possession) Files in the LC&T (file prefix Fi - Fa or Ha Fa).	Retain as Territory Archives