

Australian Capital Territory

Territory Records (Records Disposal Schedule – Registrar-General’s Office Records) Approval 2006 (No 1)*

Notifiable instrument NI2006—184

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 – Registrar-General’s Office Records) Approval 2006 (No 1)

2. Approval

I approve the Records Disposal Schedule – Registrar-General’s Office Records.

3. Commencement

This instrument commences on the day after notification.

4. Revocation

I revoke Notifiable Instrument NI2003-456 notified 13 November 2003.

David Wardle
Director of Territory Records
7 June 2006

*Name amended under Legislation Act, s 60



Records Disposal Schedule
Registrar-General's Office Records

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INTRODUCTION

The *Records Disposal Schedule – Registrar-General’s Office Records* is the official authority for the disposal of records relating to functions under the authority of the Registrar-General’s Office.

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 to be 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 Registrar-General’s Office records created or maintained by the Registrar-General’s Office.

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 – Registrar-General’s Office Records* has a hierarchical structure that reflects its arrangement according to functions and activities, rather than by subject, and its close relationship to the Territory Version of Keyword AAA. The Records Disposal Schedule is designed to be applicable to all Registrar-General’s Office 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 – Registrar-General’s Office Records:

- covers all Registrar-General’s Office 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 this activity. Activities can relate to many functions with the scope notes covering all of these relationships (eg 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 rerecording) does 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 record classes covered by this Records Disposal Schedule:

Adoption Act 1993

Adoption Regulations 1993

Artificial Conception Act 1985

Associations Incorporation Act 1991

Association Incorporations Regulation 1991

Birth (Equality of Status) Act 1988

Births, Deaths and Marriages Registration Act 1997

Births, Deaths and Marriages Regulations Act 1998

*Business Names Act 1963**Business Names Regulations 1966*

Districts Act 2002.

Instruments Act 1933

Land Titles (Unit Titles) Act 1970

Land Titles Act 1925

Marriages Act 1961(Cwlth)

Registration of Deaths Abroad Act 1984

Registration of Deeds Act 1957

Residential Tenancies Act 1997

Territory Records Act 2002

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.

IDMS

Integrated Document Management System

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 transaction 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 which 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 which 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 which 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

REGISTRATION OF ASSOCIATIONS

The Registrar-Generals Office (RGO) administers the *Associations Incorporation Act 1991*, which requires the RGO to:

- incorporate non-profit associations, and establish and maintain a register of these associations;
- keep records of the management and financial affairs of incorporated associations; and,
- provide an incorporated associations search facility for association names, office bearers, rules (constitutions) and financial status of incorporated associations.

Section 9 of the Act permits the Registrar-General to keep such registers as he/she considers necessary and in such form and containing such particulars as the Registrar-General thinks fit.

Financial Transaction

All lodgements/applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement/application service is one where the customer lodges documents in accordance with the legislation or requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for these services.

Incorporated Associations

An incorporated association must lodge a variety of documents with the Registrar-General. Lodgement of the documents required ensures that the association has complied with the primary function of the Act that is, the maintenance of a public register through which the community may determine the profile and current financial status of the association.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

The Registrar-Generals Office (RGO) administers the Births, Deaths and Marriages Registration Act 1997, and has responsibilities under the Birth (Equality of Status) Act 1988, Adoption Act 1993, Artificial Conception Act 1985, Registration of Deaths Abroad Act 1984 and the Marriages Act 1961(Cwlth).

The function requires the Registrar-General's Office to:

Record in perpetuity; births, deaths, marriages, parentage, adoptions, deaths abroad and overseas marriages *;

Provide documentation on these events to individuals to help establish a range of legal entitlements*; and

Collect statistical data for Government and other organisations.

(* For the purposes of this document the Australian Capital Territory (ACT) includes Jervis Bay Territory.)

The Registrar-General is required to keep a register of registrable events under the *Births, Deaths and Marriages Registration Act 1997*. The register -

- must contain the particulars of each registrable event required by or under this or any other Act to be included in the register; and
- may contain such further information as is authorised by this Act or the regulations.

The register may be wholly or partly in the form of a computer database, in documentary form or in such other form as the Registrar-General considers appropriate.

The Registrar-General must maintain the indexes to the register that are necessary to make the information in the register reasonably accessible.

Adoptions

All adoptions must be registered by the Registrar-General's Office upon production of evidence of the event. The adoption is given a registration number and associated documents and data are attached to that registration number.

Births

All births must be registered by the Registrar-General's Office upon production of evidence of the event. The birth is given a registration number and associated documents and data are attached to that registration number.

Change of Name

A change of name must be registered by the Registrar-General's Office upon production of evidence of the event. The change of name is given a registration number and associated documents and data are attached to that registration number. In many cases the original birth registration is also changed to reflect the assumed name.

Deaths

All deaths must be registered by the Registrar-General's Office upon production of evidence of the event. The death is given a registration number and associated documents and data are attached to that registration number.

Deaths Abroad

Certain deaths occurring abroad must be registered by the Registrar-General's Office upon production of evidence of the event. The death registration is given a registration number and associated documents and data are attached to that registration number.

Financial Transaction

All applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The application service is one where the customer requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for this service.

Marriages

All marriages must be registered by the Registrar-General's Office upon production of evidence of the event. The marriage is given a registration number and associated documents and data are attached to that registration number.

Lex Loci (local law), Overseas Marriages

Certain overseas marriages performed under local law or Australian Law may be registered by the Registrar-General's Office upon production of evidence of the event. The marriage is given a registration number and associated documents and data are attached to that registration number.

Parentage

All acknowledgements of parentage must be registered by the Registrar-General's Office upon production of evidence of the event. The parentage application is given a registration number and associated documents and data are attached to that registration number.

REGISTRATION OF BUSINESS NAMES

The Registrar-General's Office (RGO) administers the *Business Names Act 1963*. The Registrar-General is required to keep a register of business names registered under this Act in such form as the Registrar-General thinks fit.

The register includes an index of the business names of firms, individuals and corporations registered or deemed to have been registered under the Act.

Section 6 of the Act provides that the Registrar-General may keep the register in such form as the Registrar-General thinks fit.

Business Names

A person may register a business name upon lodgement of an application, which is tested for registration to prevent the registration of undesirable business names and for potential to cause confusion with the names of other registered ACT business names and Australian Corporations.

Financial Transaction

All lodgements/applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement/application service is one where the customer lodges documents in accordance with the legislation or requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for these services.

REGISTRATION OF DEEDS

The Registrar-Generals Office (RGO) administers the *Registration of Deeds Act 1957*. The function requires the Registrar-General to keep a register called the General Register of Deeds, in such form as the Minister directs.

The register of powers of attorney established by the *Powers of Attorney Act 1956* is deemed to be incorporated with the register.

A deed includes any instrument or document other than a will or an instrument (not being a lease, or a sublease, for a term of years not exceeding 3 years) that is in accordance with the provisions of the *Land Titles Act 1925* and purports to transfer or otherwise deal with or affect an estate or interest in land under the provisions of that Act.

Deeds Registration

Upon registering a deed in the register, the Registrar-General must endorse on the registration copy of the deed a memorandum of the registration (number) of the deed and of the date and time of registration.

Financial Transaction

All lodgements/applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement/application service is one where the customer lodges documents in accordance with the legislation or requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for these services.

REGISTRATION OF LAND TITLES

The Registrar-General's Office (RGO) administers the *Land Titles Act 1925*, the *Land Titles (Unit Titles) Act 1970*, and the *Districts Act 2002*. The RGO receives, registers and provides access to titles and documents relating to transactions with registered land in the ACT* (* For the purposes of this document the Australian Capital Territory (ACT) includes Jervis Bay Territory).

S.43(2) of the Land Titles Act 1925 permits the Registrar-General to keep the register -

- in such form or combination of forms; and
- on such medium or combination of media; and
- in such manner;

as the Registrar-General thinks fit; and at any time, vary the form or medium in which the register or part of the register is kept.

A reference to a medium includes a computer, microfilm and paper. S.6 of the Act defines "computer" as a device for storing or processing information. In this sense, the RGO has implemented an image-based document management system under which images of documents are digitally captured and stored in a computer and the paper originals destroyed. This practice is consistent with the provisions of the *Evidence Act 1971*.

Crown Leases

A Crown Lease is the document that, when registered by the Registrar-General, proves a person's title to land in the ACT. Upon registration, Crown Leases are allocated volume and folio reference numbers. The Crown Lease is then converted to a computer certificate of title (CT), retaining the same volume and folio number and allocated an edition number. The edition number in the register denotes the current version and increments each time an updated CT is issued.

The Registrar-General may issue a CT for:

- a leasehold estate;
- a freehold estate (freehold only exists in parts of Jervis Bay Territory);
- a joint tenant;
- a tenant in common;
- a unit in a units plan;
- the common property in a units plan;
- a life estate; and
- an estate in remainder.

Dial-a-Search

The Dial-A-Search service enables an customer to request and receive information relating to land and ownership of land using a combination of fax, email and personal collection. A fee is charged for this service.

Financial Transaction

All lodgements/applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement/application service is one where the customer lodges documents in accordance with the legislation or requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for these services.

Instruments

When an instrument is registered, the Registrar-General shall enter a record of that instrument in the register against the specified land. Each instrument is sequentially numbered and then referenced to land parcel.

Plans

The Registrar-General may require a map or plan of the land to be deposited with the office.

REGISTRATION OF REGISTRABLE INSTRUMENTS

The Registrar-Generals Office (RGO) administers the *Instruments Act 1933*.

The function requires the Registrar-General to maintain a register of registrable instruments including a bill of sale, lien, mortgage or other agreement.

Financial Transaction

All lodgements/applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement/application service is one where the customer lodges documents in accordance with the legislation or requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for these services.

Instruments

Upon registering an instrument in the register, the Registrar-General is required to endorse on the registration copy of the instrument a memorandum of the registration (number) of the instrument and of the date and time of registration.

REGISTRATION OF RENTAL BONDS

The Registrar-General's Office administers that part of the *Residential Tenancies Act 1997*, which deals with the lodgement and refund of residential rental bonds and provides an independent custodial service for those bonds as stakeholder. The RGO manages the Rental Bonds Trust Account (RBTA), through a managed investment portfolio, interest derived from which funds the operations of the whole rental bonds scheme in the ACT.

There are no specific provisions in the Act dealing with requirements for the maintenance of a register.

Financial Transaction

Many lodgements are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement service is one where the customer lodges documents in accordance with the legislation.

Rental Bonds

The bond is deposited by the landlord (or managing agent) and claims are made on the bond at the completion of the tenancy. All documents relevant to the tenancy are placed against the bond registration number.

RECORDS DISPOSAL SCHEDULE

REGISTRATION OF ASSOCIATIONS

The Registrar-Generals Office (RGO) administers the *Associations Incorporation Act 1991*, which requires the RGO to:


- incorporate non-profit associations, and establish and maintain a register of these associations;
- keep records of the management and financial affairs of incorporated associations; and,
- provide an incorporated associations search facility for association names, office bearers, rules (constitutions) and financial status of incorporated associations.

Section 9 of the Act permits the Registrar-General to keep such registers as he/she considers necessary and in such form and containing such particulars as the Registrar-General thinks fit.

Financial Transaction


All lodgements/applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement/application service is one where the customer lodges documents in accordance with the legislation or requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for these services.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
1.1.1 	A <i>Financial Record</i> in relation to Associations includes: Receipt Daily Reconciliation/End of Day Balance	<ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Destroy originals post 2002/2003.• Retain pre 2002/2003 originals on site.• Destroy/Remove image and data at the end of the 7th financial year.

Incorporated Associations

An incorporated association must lodge a variety of documents with the Registrar-General. Lodgement of the documents required ensures that the association has complied with the primary function of the Act that is, the maintenance of a public register through which the community may determine the profile and current financial status of the association.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
1.2.1 	A <i>record</i> in relation to an Association includes: RES - Reservation of Name of Association A1 - Application to Incorporate Association A2 - Application to Amalgamate Associations A3 - Change of Name of Association A4 - Notice of Commencement/Change of Registered Office A5 - Notice of Change of Public Officer/Address A8 - Alteration of Objects, Purposes or Rules A9 - Change/s to Committee of Association AR - Statement by Members of the Committee and Summary of Annual Return Certificate	<ul style="list-style-type: none">• Capture in IDMS post instrument no 80,001.• Destroy originals post instrument no 80,001.• Retain instrument No 1-80,000 on site.• Destroy/Remove image and data 7 years after incorporation was dissolved or ceased to be registered or the incorporation of which was cancelled.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

The Registrar-Generals Office (RGO) administers the Births, Deaths and Marriages Registration Act 1997, and has responsibilities under the Birth (Equality of Status) Act 1988, Adoption Act 1993, Artificial Conception Act 1985, Registration of Deaths Abroad Act 1984 and the Marriages Act 1961 (Cwlth).

The function requires the Registrar-General's Office to:

Record in perpetuity; births, deaths, marriages, parentage, adoptions, deaths abroad and overseas marriages*;

Provide documentation on these events to individuals to help establish a range of legal entitlements*; and

Collect statistical data for Government and other organisations.

(* For the purposes of this document the Australian Capital Territory (ACT) includes Jervis Bay Territory.)

The Registrar-General is required to keep a register of registrable events under the *Births, Deaths and Marriages Registration Act 1997*. The register -


- must contain the particulars of each registrable event required by or under this or any other Act to be included in the register; and
- may contain such further information as is authorised by this Act or the regulations.

The register may be wholly or partly in the form of a computer database, in documentary form or in such other form as the Registrar-General considers appropriate.

The Registrar-General must maintain the indexes to the register that are necessary to make the information in the register reasonably accessible.


Adoptions

All adoptions must be registered by the Registrar-General's Office upon production of evidence of the event. The adoption is given a registration number and associated documents and data are attached to that registration number.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.1.1 	A record (instrument) in relation to an adoption includes: Court Order Birth Registration Statement	Retain as Territory Archives. <ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Store originals pre 2002/2003 on-site for historical and conversion purposes.• Destroy originals after scanning post 2002/2003.


Births

All births must be registered by the Registrar-General's Office upon production of evidence of the event. The birth is given a registration number and associated documents and data are attached to that registration number.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.2.1 	A record (instrument) in relation to a birth includes: Hospital Notification Birth Registration Statements	Retain as Territory Archives. Capture in IDMS post 2002/2003. Store originals pre 2002/2003 on-site for historical and conversion purposes. Destroy originals after scanning post 2002/2003.


Change of Name

A change of name must be registered by the Registrar-General's Office upon production of evidence of the event. The change of name is given a registration number and associated documents and data are attached to that registration number. In many cases the original birth registration is also changed to reflect the assumed name.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.3.1 	A record (instrument) in relation to a change of name includes: Court Order Change of Name Form	Retain as Territory Archives. <ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Store originals pre 2002/2003 on-site for historical and conversion purposes.• Destroy originals after scanning post 2002/2003.


Deaths

All deaths must be registered by the Registrar-General's Office upon production of evidence of the event. The death is given a registration number and associated documents and data are attached to that registration number.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.4.1 	A record (instrument) in relation to a death includes: Medical Certificate of Cause of Death Death Registration Statement Coroners Report	Retain as Territory Archives. <ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Store originals pre 2002/2003 on-site for historical and conversion purposes.• Destroy originals after scanning post 2002/2003.


Deaths Abroad

Certain deaths occurring abroad must be registered by the Registrar-General's Office upon production of evidence of the event. The death registration is given a registration number and associated documents and data are attached to that registration number.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.5.1 	A record (instrument) in relation to a death abroad includes: Medical Certificate Cause of Death (International) Coroners Report (International) Death Abroad Registration Statement	Retain as Territory Archives. Capture in IDMS post 2002/2003. Store originals pre 2002/2003 on-site for historical and conversion purposes. Destroy originals after scanning post 2002/2003.


Lex Loci (local law), Overseas Marriages

Certain overseas marriages performed under local law or Australian Law may be registered by the Registrar-General's Office upon production of evidence of the event. The marriage is given a registration number and associated documents and data are attached to that registration number.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.7.1 	A <i>record (instrument)</i> in relation to a overseas marriage includes: Marriage Certificate Translations	Retain as Territory Archives. Capture in IDMS post 2002/2003. Store originals pre 2002/2003 on-site for historical and conversion purposes. Destroy originals after scanning post 2002/2003.


Marriages

All marriages must be registered by the Registrar-General's Office upon production of evidence of the event. The marriage is given a registration number and associated documents and data are attached to that registration number.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.6.1 	A <i>record (instrument)</i> in relation to a marriage includes: Notice of Intended Marriage Marriage Certificate	Retain as Territory Archives. <ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Store originals pre 2002/2003 on-site for historical and conversion purposes.• Destroy originals after scanning post 2002/2003.


Parentage

All acknowledgements of parentage must be registered by the Registrar-General's Office upon production of evidence of the event. The parentage application is given a registration number and associated documents and data are attached to that registration number.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.8.1 	A record (instrument) in relation to acknowledgement of parentage includes: Court Order Parentage Information Form	Retain as Territory Archives. Capture in IDMS post 2002/2003. Store originals pre 2002/2003 on-site for historical and conversion purposes. Destroy originals after scanning post 2002/2003.

Financial Transaction

All applications are registered by the Registrar-General's Office and coincide with a financial transaction. The application service is one where the customer requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for this service.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2.9.1 	A Financial Record in relation to Births, Deaths and Marriages includes: Application Form Receipt Daily Reconciliation/End of Day Balance	<ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Destroy originals post 2002/2003.• Retain pre 2002/2003 originals on site.• Destroy/Remove image and data at the end of 7th financial year.

BUSINESS NAMES REGISTRATION


The Registrar-General's Office (RGO) administers the *Business Names Act 1963*. The Registrar-General is required to keep a register of business names registered under this Act in such form as the Registrar-General thinks fit.

The register includes an index of the business names of firms, individuals and corporations registered or deemed to have been registered under the Act.

Section 6 of the Act provides that the Registrar-General may keep the register in such form as the Registrar-General thinks fit.

Business Names


A person may register a business name upon lodgement of an application, which is tested for registration to prevent the registration of undesirable business names and for potential to cause confusion with the names of other registered ACT business names and Australian Corporations.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.1.1 	A <i>record</i> in relation to a Business Name includes: Business Name Application Form Business Name Change of Particulars Form Cessation of Business Name Form Certificate	<ul style="list-style-type: none">• Capture in IDMS post instrument no 80,001.• Destroy originals post instrument no 80,001.• Retain instrument No 1-80,000 on site.• Destroy/Remove image and data 12 years after the registration has not been in force.

Financial Transaction

All lodgements/applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement/application service is one where the customer lodges documents in accordance with the legislation or requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for these services.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
3.2.1 	A Financial Record in relation to Business Names includes: Receipt Daily Reconciliation/End of Day Balance	<ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Destroy originals post 2002/2003.• Retain pre 2002/2003 originals on site.• Destroy/Remove image and data at the end of the 7th financial year.

LAND TITLES

The Registrar-General's Office (RGO) administers the *Land Titles Act 1925*, the *Land Titles (Unit Titles) Act 1970*, and the *Districts Act 2002*. The RGO receives, registers and provides access to titles and documents relating to transactions with registered land in the ACT*. (* For the purposes of this document the Australian Capital Territory (ACT) includes Jervis Bay Territory.)

S.43(2) of the Land Titles Act 1925 permits the Registrar-General to keep the register -

- in such form or combination of forms; and
- on such medium or combination of media; and
- in such manner;

as the Registrar-General thinks fit; and at any time, vary the form or medium in which the register or part of the register is kept.

A reference to a medium includes a computer, microfilm and paper. S.6 of the Act defines "computer" as a device for storing or processing information. In this sense the RGO has implemented an image-based document management system under which images of documents are digitally captured and stored in a computer and the paper originals destroyed. This practice is consistent with the provisions of the Evidence Act 1971.

Crown Leases

A Crown Lease is the document that, when registered by the Registrar-General, proves a person's title to land in the ACT. Upon registration, Crown Leases are allocated volume and folio reference numbers. The Crown Lease is then converted to a computer certificate of title (CT), retaining the same volume and folio number and allocated an edition number. The edition number in the register denotes the current version and increments each time an updated CT is issued.

The Registrar-General may issue a CT for:

- a leasehold estate;
- a freehold estate (freehold only exists in parts of Jervis Bay Territory);
- a joint tenant;
- a tenant in common;
- a unit in a units plan;
- the common property in a units plan;
- a life estate; and
- an estate in remainder.

Entry No

Description of Records

Disposal Action

4.1.1




A **Crown Lease** may be granted in respect to any lease of land in the ACT granted by or in the name of the Commonwealth and includes leases of both Territory and National land.

Retain as Territory Archives.

- Capture in IDMS.
- Store originals in secure storage off site for historic value and reference to coloured diagrams.

Dial-a-Search


The Dial-A-Search service enables a customer to request and receive information relating to land and ownership of land using a combination of fax, email and personal collection. A fee is charged for this service.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.2.1 	A Financial Record in relation to Dial-A-Search includes: Dial-A-Search Request Dial-A-Search Account Dial-A-Search Transaction Dial-A-Search Statement	<ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Destroy originals post 2002/2003.• Retain pre 2002/2003 originals on site.• Destroy/Remove image and data at the end of the 7th financial year.

Financial Transaction


All lodgements/applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement/application service is one where the customer lodges documents in accordance with the legislation or requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for these services.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.3.1 	A Financial Record in relation to Land Titles includes: Receipt Daily Reconciliation/End of Day Balance	<ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Destroy originals post 2002/2003.• Retain pre 2002/2003 originals on site.• Destroy/Remove image and data at the end of the 7th financial year.


Instruments

When an instrument is registered, the Registrar-General shall enter a record of that instrument in the register against the specified land. Each instrument is sequentially numbered and then referenced to land parcel.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
4.4.1 	An <i>instrument</i> is a document prepared under the <i>Land Titles Act</i> or the <i>Land Titles (Unit Titles) Act</i> evidencing a registrable dealing with land. Types of instruments include a transfer, a lease, a sublease, a memorandum of surrender of a lease, a memorandum of mortgage, a memorandum of encumbrance, a memorandum of provisions, a memorandum of easement, and any other document that is required or permitted by a Territory or Commonwealth law to be lodged with the Registrar-General for registration under this Act, but does not include a caveat, a grant or a Crown lease.	Retain as Territory Archives. <ul style="list-style-type: none">• Capture in IDMS post instrument no 1082001.• Destroy originals from instrument no. 1082001.• Store original Instrument No 1- 1082000 on-site.

Plans

The Registrar-General may require a map or plan of the land to be deposited with the office.

Entry No	Description of Records	Disposal Action
4.5.1 	<p>A deposited plan is a plan prepared by a registered surveyor and registered by the registrar-general to:</p> <ul style="list-style-type: none">• divide a district, or part of a district, into divisions or blocks;• divide a division, or part of a division, into sections;• divide a section into blocks. <p>A sublease plan is a plan prepared by a registered surveyor or other person and lodged in order to sub-divide land/buildings into lettable areas for sublease/underlease purposes and registered by the registrar-general.</p> <p>A units plan is a plan parts of which are prepared by a registered surveyor and registered by the registrar-general and consists of the following documents:</p> <ul style="list-style-type: none">• diagrams showing the subdivision;• the schedule of unit entitlement;• schedules of rent and lease provisions.	<p>Retain as Territory Archives.</p> <ul style="list-style-type: none">• Capture in IDMS.• Store originals on-site. <p>Retain as Territory Archives.</p> <ul style="list-style-type: none">• Capture in IDMS. <p>Store originals on-site.</p> <p>Retain as Territory Archives.</p> <ul style="list-style-type: none">• Capture in IDMS.• Store originals on-site.

REGISTRABLE INSTRUMENTS


The Registrar-Generals Office (RGO) administers the *Instruments Act 1933*.

The function requires the Registrar-General to maintain a register of registrable instruments including a bill of sale, lien, mortgage or other agreement.

Financial Transaction


All lodgements/applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement/application service is one where the customer lodges documents in accordance with the legislation or requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for these services.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
5.1.1 	A <i>Financial Record</i> in relation to Instruments includes: Receipt Daily Reconciliation/End of Day Balance	<ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Destroy originals post 2002/2003.• Retain pre 2002/2003 originals on site.• Destroy/Remove image and data at the end of the 7th financial year.

Instruments

Upon registering an instrument in the register, the Registrar-General is required to endorse on the registration copy of the instrument a memorandum of the registration (number) of the instrument and of the date and time of registration.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
5.2.1 	A record (instrument) in relation to an instrument includes: Lodgement Schedule Instrument	Retain as Territory Archives. <ul style="list-style-type: none">• Capture in IDMS post registration no 2172.• Retain originals pre instrument no 2172 on site.• Destroy originals upon scanning post registration no 2172.

REGISTRATION OF DEEDS


The Registrar-Generals Office (RGO) administers the *Registration of Deeds Act 1957*. The function requires the Registrar-General to keep a register called the General Register of Deeds, in such form as the Minister directs.

The register of powers of attorney established by the *Powers of Attorney Act 1956* is deemed to be incorporated with the register.

A deed includes any instrument or document other than a will or an instrument (not being a lease, or a sublease, for a term of years not exceeding 3 years) that is in accordance with the provisions of the *Land Titles Act 1925* and purports to transfer or otherwise deal with or affect an estate or interest in land under the provisions of that Act.

Deeds Registration


Upon registering a deed in the register, the Registrar-General must endorse on the registration copy of the deed a memorandum of the registration (number) of the deed and of the date and time of registration.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.1.1 	A <i>record</i> in relation to a Deed includes: Lodgement Schedule Deed	Retain as Territory Archives. <ul style="list-style-type: none">• Capture in IDMS post registration no 126474.• Retain originals from pre registration number 126474 on site.• Destroy originals upon scanning post registration no 126474.

Financial Transaction

All lodgements/applications are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement/application service is one where the customer lodges documents in accordance with the legislation or requests information pertaining to an event in the register, which is compiled by the RGO and provided to the customer. A fee is charged for these services.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
6.2.1 	A Financial Record in relation to Deeds includes: Receipt Daily Reconciliation/End of Day Balance	<ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Destroy originals post 2002/2003.• Retain pre 2002/2003 originals on site.• Destroy/Remove image and data at the end of the 7th financial year.

RENTAL BONDS REGISTRATION


The Registrar-General's Office administers that part of the *Residential Tenancies Act 1997*, which deals with the lodgement and refund of residential rental bonds and provides an independent custodial service for those bonds as stakeholder. The RGO manages the Rental Bonds Trust Account (RBTA), through a managed investment portfolio, interest derived from which funds the operations of the whole rental bonds scheme in the ACT.

There are no specific provisions in the Act dealing with requirements for the maintenance of a register.

Financial Transaction


Many lodgements are registered by the Registrar-General's Office and coincide with a financial transaction.

The lodgement service is one where the customer lodges documents in accordance with the legislation.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
7.1.1 	A <i>Financial Record</i> in relation to Rental Bonds includes: Receipt Electronic Funds Transfer Reports Daily Reconciliation/End of Day Balance	<ul style="list-style-type: none">• Capture in IDMS post 2002/2003.• Destroy originals post 2002/2003.• Retain pre 2002/2003 originals on site.• Destroy/Remove image and data at the end of the 7th financial year.

Rental Bonds

The bond is deposited by the landlord (or managing agent) and claims are made on the bond at the completion of the tenancy. All documents relevant to the tenancy are placed against the bond registration number.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
7.2.1 	A record(instrument) in relation to a Rental Bond includes Office of Rental Bonds - Bond Lodgement Form Office of Rental Bonds - Bond Refund Form Office of Rental Bonds - Change of Tenant Office of Rental Bonds - Change of Lessor or Managing Agent Office of Rental Bonds - Condition of Premises Report Office of Rental Bonds - Tenant Forwarding Address	<ul style="list-style-type: none">• Capture in IDMS post instrument no 1.• Destroy originals post instrument no 1.• Retain pre instrument no 1, in bond number (disputes, unclaimed money etc) originals on site.• Destroy/Remove image and data at the end of the 7th year after the last transaction on the bond.