

# Review of the *Public Records Act 1973*

An overview – October 2018

Authorised Version No. 041

**Public Records Act 1973**

No. 8418 of 1973

Authorised Version incorporating amendments as at  
15 October 2014

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# Presentation Overview

- Background of the review
- Review process
- Key issues that are the subject of the review

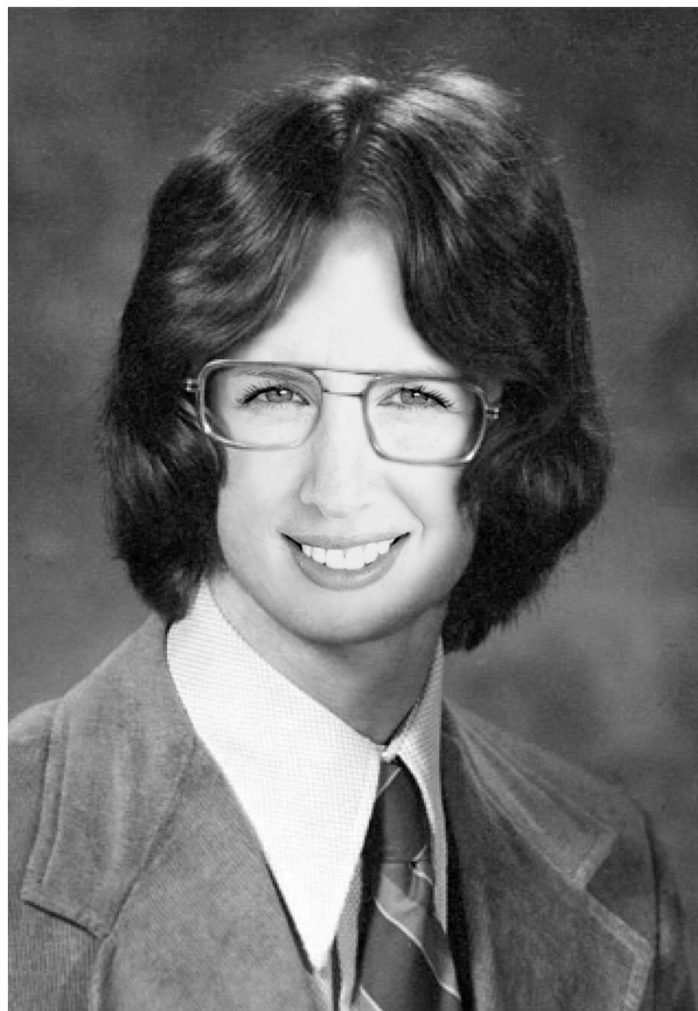
**1973**

**Sex,  
drugs,  
rock'n'roll and....  
recordkeeping**



# Recordkeeping Drugs

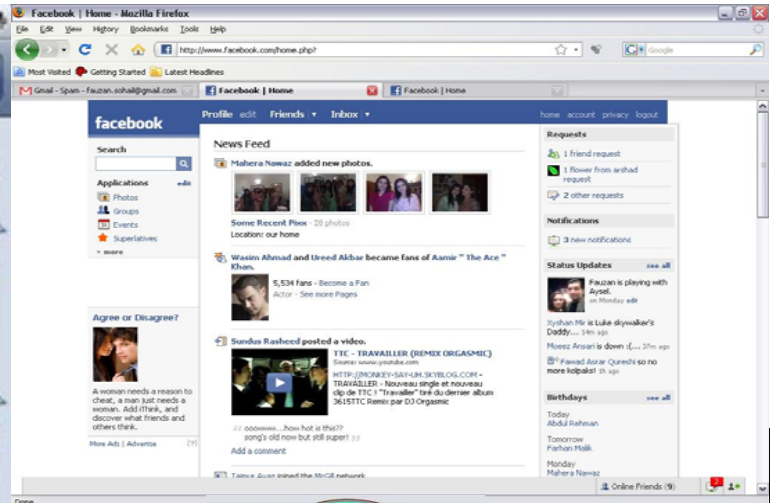
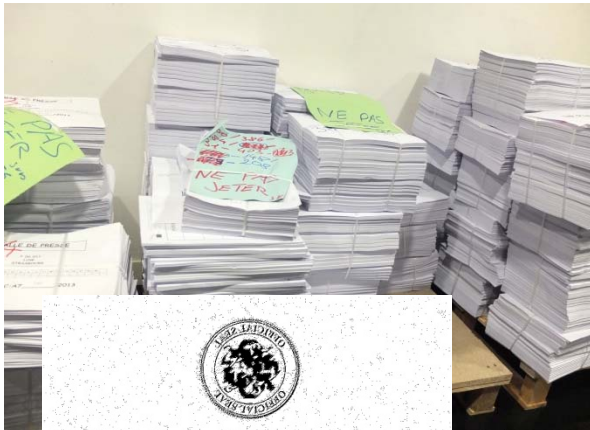
1973



# 2018 vs 1973



A lot has changed





**Official Letter of Official Purposeness**

From the office of the Big Banana, SC.DYT. Dj., SSP  
January 82, 2055

TO WHOM IT MAY CONCERN:

Anna Prodesiak is officially sanctioned by the University of Banana Bread as an official course instructor, and recruiter of new students.

She is also a taster during competitions and swayer of the ever-present fruit flies.

*Wanda Wilson*  
Miya Bananalon  
Office of the President

*Sara Wake*  
I. Lisen? Tohin  
Secretary and Lickspittle

*Theyus Caldmeim*  
Witness

*Tolmee*  
Witness

*Signhere*  
Witness

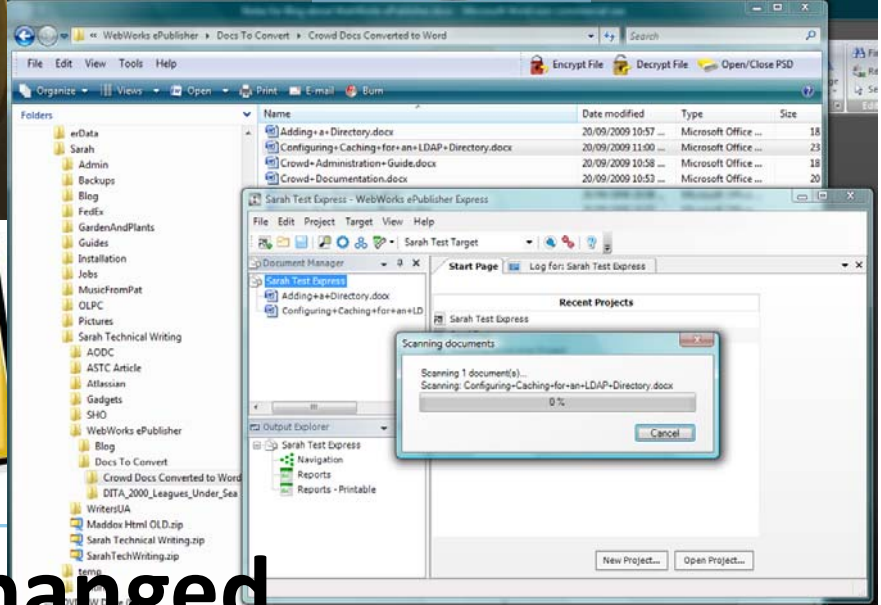
**OFFICIAL**



*The Cause of the War.*  
Food was scarce and Austria got so hungry that King Peter had to serve. So he went to Russia for a bit of Turkey but slipped on some Greece, and fell in China, and got in Dutch, and Brussels sprouted up with India-ignation and of course John Bull's this way on, and money got so scarce they may have to look der.

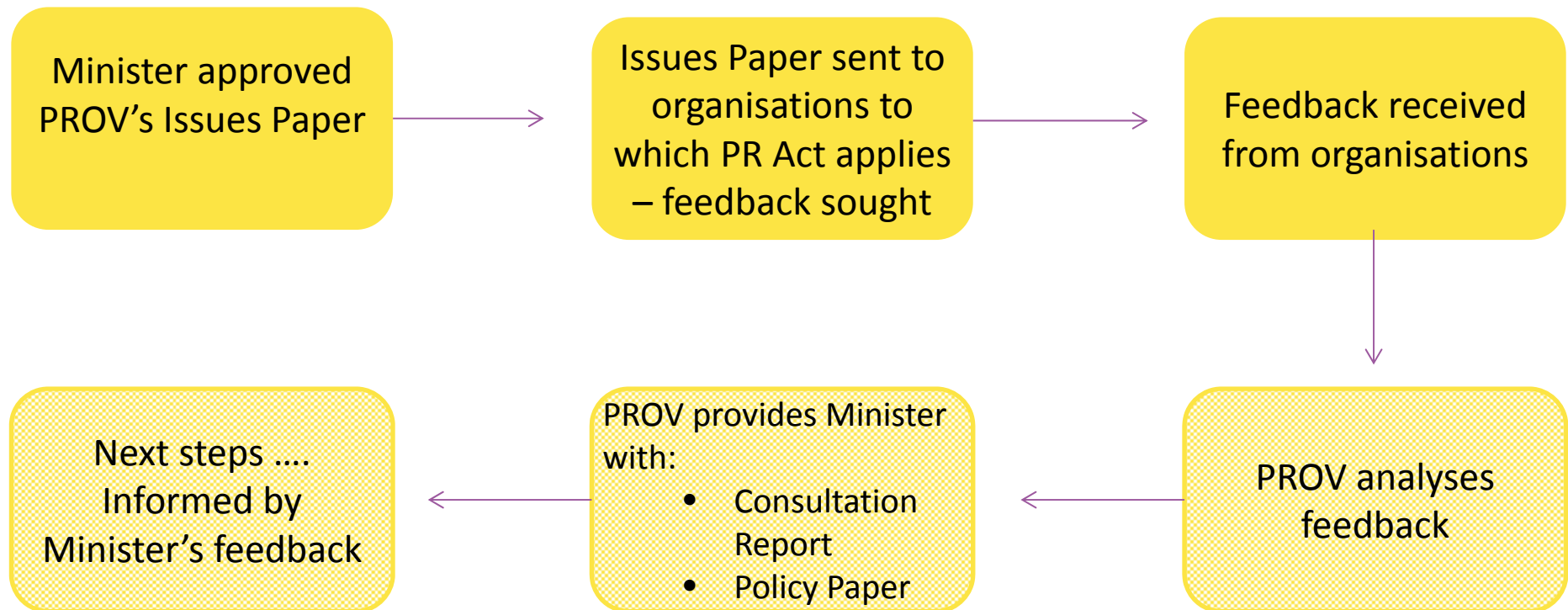
*Montana State contains 41 Counties*  
Silver Bow. Missoula  
Cascade. Yergus Park  
Ravalli. Valley Blaine  
Yellowstone. Jefferson  
Sweet Grass. Meagher  
Lewis Clark. Sheridan  
Big Horn. Madison  
Custer. Rosebud  
Chouteau. Musselshell

*Kaiser*  
*1861*  
Dec - 1914



**Records have changed**

# PR Act Review – Phase 1





# Issues Paper

- **Jurisdiction**
- **Standards**
- **Compliance**
- **Access to records**
- **Disposal and transfer of records**
- **Review of decisions**
- **Alignment with other legislation**
- **Roles and responsibilities**
- **Other issues**

# Jurisdiction

Key issues:

- Who and what should be covered by the PR Act?
- How can the jurisdiction of the PR Act be maintained as the public service changes?

# Standards

Key issues:

- Should the Keeper retain authority to establish records management standards?
- Should records management standards be mandatory for all Victorian government organisations and their employees?

# Compliance

Key issues:

- What is the best mechanism for inspecting, monitoring and reporting compliance with the PR Act?
- What should the range of offences and penalties be?
- Should penalties for offences under the PR Act be increased to align with penalties in similar Victorian Acts?
- Should the PR Act specify the mechanism for prosecutions?

# Access to Records

Key issues:

- Should all public records be open by default after a period of time unless there are certain grounds for restricting access?
- Should records be open by default upon transfer?
- Are the current closure periods adequate?
- Should the authority to close records/provide for special access lie with the Keeper or the Minister?
- Should there be mandatory public reporting on closure decisions?
- Should the mechanism for seeking to vary an access closure decision be through a formal appeals process?

# Disposal and Transfer of Records

- What should the appropriate trigger be to transfer records?
- Should the organisation head being required to undertake a formal disposal program?
- Should the Keeper be able to compel organisations to transfer records if they are not able to justify their continued need for the records?

# Review of Decisions

Key issue:

- Should there be an appeals mechanism that is applicable to a range of decisions (including closure and access)?

# Alignment with Other Legislation

Key issues:

- Should the closure provisions align with FOI Act and PDP Act?
- Should the Keeper's authorisation be required for amending or annotating records?



# Roles and Responsibilities

## Advisory body

- What should its role and powers be?

## Keeper of Public Records

- Are the Keeper's current powers sufficient?
- Should the PR Act include a statement of the independence of the Keeper?

## Head of a Public Office

- Should there be a statement setting out their recordkeeping responsibilities?
- Should the head of a public office be responsible for ensuring compliance with the PR Act irrespective of whether a service is delivered by their organisation or externally on their behalf?

# Other Issues

- Statement of purpose
- Plain English and gender neutral language
- Governance of public records not in government custody
- Co-creation of records