

**Retention and Disposal Authority for Records of Consumer Affairs Functions**

Authority number: PROS 11/04 VAR 3



PROS 11/04 VAR 3

**Retention and Disposal Authority for Records of  
Consumer Affairs Functions**

Issued Date: 10/05/2022

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

# INTRODUCTION

## Variation

### Variation 1

**Public Records Act 1973 (Section 12)**

**Retention and Disposal Authority for Consumer Affairs Functions Public Record Office Standard (PROS) 11/04**

Variation 1: In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to the Retention and Disposal Authority for Records of the Consumer Affairs Function, issued as Public Record Office Standard (PROS) 11/04 on 28/09/2011, as follows:

**Broadened the scope of the authority so that the following classes can be used by the specified public office:**

2.1.0 Registration and Licensing (Classes 2.1.1 and 2.1.2) - Victorian Pharmacy Authority

This Variation shall have effect from its date of issue.

[signed]

Justine Heazlewood

Director and Keeper of Public Records

Date of issue: 22 February 2017

## **Retention and Disposal Authority for Records of Consumer Affairs Functions**

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### **Variation 2**

**Public Records Act 1973 (Section 12)**

**Retention and Disposal Authority for Consumer Affairs Functions Public Record Office Standard (PROS) 11/04**

Variation 2: In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to the records of Consumer Affairs Functions, issued as Public Record Office Standard (PROS) 11/04 on 28/09/2011, as follows:

Extension of the application of this Authority until varied or revoked.

This Variation shall have effect from its date of issue.

[signed]

Justine Heazlewood

Director and Keeper of Public Records

Date of issue: 6 December 2019

## Retention and Disposal Authority for Records of Consumer Affairs Functions

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### Variation 3

Public Records Act 1973 (Section 12)

Retention and Disposal Authority for Consumer Affairs Functions Public Record Office Standard (PROS) 11/04

Variation 3: In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to the records of Consumer Affairs Functions, issued as Public Record Office Standard (PROS) 11/04 on 28/09/2011, as follows:

| Class Number | Description of Change   |
|--------------|---|
| 2.0          | Function scope description amended to: <ul style="list-style-type: none"><li>• replace reference to "prostitution" with "sex worker" in alignment with the Sex Work Act</li><li>• exclude the registration of small owner-operators (exempt sex work service provider). This refers to the Small Owner Operator (exempt sex work service provider) Register under Section 24 of the <i>Sex Work Act 1994</i> and its associated records from the scope of PROS 11/04 as Varied.</li></ul> |
| 2.1          | Activity scope description amended to exclude the registration of small owner-operators (exempt sex work service provider) under Section 24 of the <i>Sex Work Act 1994</i> and to refer readers to the Single Instance Disposal Authority issued 10 May 2022.<br>Records removed from scope of PROS 11/04 are the Register of Small Owner Operators and its related records from all records disposal classes placed under 2.1.  |

This Variation shall have effect from its date of issue.

[signed]

Justine Heazlewood

Director and Keeper of Public Records

Date: 10 May 2022

## Retention and Disposal Authority for Records of Consumer Affairs Functions

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## Retention and Disposal Authority for Records of Consumer Affairs Functions

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## Retention and Disposal Authority for Records of Consumer Affairs Functions

|  |  |
|--|--|
| <b>Retention and Disposal Authority No</b> | PROS 11/04 VAR 3   |
| <b>Scope</b>                               | This RDA authorises the disposal of records created by Consumer Affairs Victoria and Victorian Pharmacy Authority. |
| <b>Status</b>                              | Issued by Keeper   |
| <b>Issue Date</b>                          | 10 May 2022  |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

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# Retention and Disposal Authority for Records of Consumer Affairs Functions

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## Introduction

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### Purpose of this Authority

The purpose of this Authority is to provide a mechanism for the disposal of public records in accordance with the *Public Records Act 1973*. The Authority:

- identifies records which are worth preserving permanently as part of Victoria's archival heritage
- prevents the premature destruction of records which need to be retained for a specified period to satisfy legal, financial and other requirements of public administration, and
- authorises the destruction of those records not required permanently.

### Context of this Authority

#### Public Record Office Victoria Standards

This Authority should be used in conjunction with the Standards issued by the Keeper of Public Records under Section 12 of the *Public Records Act 1973*. Copies of all relevant PROV standards, specifications and regulatory advice can be downloaded from [www.prov.vic.gov.au](http://www.prov.vic.gov.au). These documents set out the procedures that must be followed by Victorian public offices.

#### Disposal of records identified in the Authority

Disposal of public records identified in this Authority must be undertaken in accordance with the requirements of Public Record Office Standard PROS 10/13 *Disposal*.

It is a criminal offence to unlawfully destroy a public record under s 19(1) of the *Public Records Act 1973*.

The destruction of a public record is not unlawful if done in accordance with a Standard established under s 12 of the *Public Records Act 1973*.

This Standard (also known as an Authority) authorises the disposal of public records as described within its provisions. However, disposal is **not** authorised under this Standard if it is reasonably likely that the public record will be required in evidence in a current or future legal proceeding.

## Retention and Disposal Authority for Records of Consumer Affairs Functions

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For the purposes of this Retention and Disposal Authority, a 'legal proceeding' has the same meaning as the *Evidence (Miscellaneous Provisions) Act 1958*, and includes any civil, criminal or mixed proceeding and any inquiry in which evidence is or may be given before any court or person acting judicially, including a Royal Commission or Board of Inquiry under the *Inquiries Act 2014*.

If the public office identifies that public records must be retained under other applicable legislation for a period that exceeds the retention period specified under the Standards, then the longer retention period must apply.

### Normal Administrative Practice

The destruction of some public records is permitted without final authorisation under normal administrative practice (NAP). NAP covers the destruction of ephemeral material of a facilitative nature created, acquired or collected by public officers during the course of their duties.

The following material may be destroyed under NAP:

- working papers consisting of rough notes and calculations used solely to assist in the preparation of other records such as correspondence, reports and statistical tabulations
- drafts not intended for retention as part of the office's records, the content of which has been reproduced and incorporated in the public office's record keeping system
- extra copies of documents and published material preserved solely for reference.

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### **Transfer of records to Public Record Office Victoria**

Contact Public Record Office Victoria for further information on procedures for transferring permanent records to archival custody.

### **Use of Other Authorities**

In applying the disposal sentences set out in this Authority, reference should be made to other current Authorities where applicable. Where there is a conflict between two Authorities (for instance this Authority and the General Retention and Disposal Authority for Records of Common Administrative Functions), consult the Public Record Office Victoria for advice.

### **Explanation of Authority Headings**

#### **Class Number**

The class number or entry reference number provides citation and ease of reference.

#### **Description**

The description of each record class is specified in this entry. A record class is a group of records that relate to the same activity, function or subject and require the same disposal action.

#### **Status**

This entry provides the archival status of each class - either permanent or temporary.

#### **Custody**

This entry specifies whether the records are to be retained by the public office or transferred to the Public Record Office Victoria. Permanent records must be managed and transferred in accordance with PROV Standards.

## Retention and Disposal Authority for Records of Consumer Affairs Functions

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### Concurrence of Public Office

This Authority has the concurrence of:

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Signature: [signed]

Name: Geoff Browne

Position: Acting Executive Director, Consumer Affairs

Date: 21/09/2011

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### Establishment of Standard

Pursuant to Section 12 of the *Public Records Act 1973*, I hereby establish these provisions as a Standard (also known as a Retention and Disposal Authority) applying to Department of Justice and Regulation. This standard as varied or amended from time to time, shall have effect from the date of issue unless revoked.

[signed]

**Justine Heazlewood**, Keeper of Public Records

Date of Issue: 06/12/2019

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No  | Function/Activity   | Description  | Status | Disposal Action |
|-----|---|--|--------|-----------------|
| 1   | <b>CONSUMER ADVICE AND SUPPORT PROGRAMS</b>               | <p>The raising of awareness of consumers rights and responsibilities and the provision of support to consumers through the development of programs to target particular areas where consumers are not aware of their rights, and/or are at risk of making a poor purchase. Includes programs that address:</p> <ul style="list-style-type: none"> <li>• the needs of special interest, minority or disadvantaged groups such as consumers who are disabled, migrants who have English as a second language, and indigenous groups;</li> <li>• the empowerment of consumers, warnings regarding scams, recalled products or unfair / illegal trading practices;</li> <li>• the education of consumers through seminars or publications, or of young consumers through a school curriculum development program;</li> <li>• support for vulnerable and disadvantaged consumers through the provision of advocacy services.</li> </ul> <p>[For grants, publications, contracts, tendering and media releases, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i>]</p> |        |                 |
| 1.1 | <b>Establishment, Monitoring &amp; Review of Programs</b> | <p>The establishment, review and monitoring of consumer affairs programs.</p> <p>Includes records documenting the identification of the need for a program, scoping the issue, decisions</p>   |        |                 |

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| No   | Function/Activity  | Description   | Status    | Disposal Action  |
|--|--|---|-----------|--|
| <i>CONSUMER ADVICE AND SUPPORT PROGRAMS - Establishment, Monitoring &amp; Review of Programs</i> |  |   |           |  |
|  |  | on the delivery mechanism and updates to the program scope based on responses received.   |           |  |
| 1.1.1  |  | Records documenting the establishment and review of programs, including the content, intended audience and delivery mechanisms of the program.  | Permanent | Retain as State archives                               |
| 1.1.2  |  | Records documenting the planning, routine monitoring and administrative arrangements of program and service delivery, including training and seminar sessions, attendance, venue management, session timetabling, and/or rostering.   | Temporary | Destroy 7 years after program or service was provided. |
| 1.2  | <b>School Curriculum and Resource Development and Review</b> | The development and review of curriculum content and resources for teachers on consumer awareness for use in schools. Includes curriculum developed in conjunction with other agencies (e.g. Office of Gaming and Racing, Royal Automotive Club Victoria (RACV) etc). Also includes competitions and other events aimed at providing students with opportunities to apply their learning. |           |  |
| 1.2.1  |  | Records documenting the development and review of curriculum content and resources for use in the classroom including teacher notes and resource books.<br><br>Examples of curriculum content includes: <ul style="list-style-type: none"> <li>• gambling;</li> <li>• purchasing and contracts (e.g. mobile phones and other technology contracts);</li> </ul>                            | Temporary | Destroy 10 years after date of creation.               |



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| No  | Function/Activity | Description   | Status    | Disposal Action                               |
|---|-------------------|---|-----------|---|
| <i>CONSUMER ADVICE AND SUPPORT PROGRAMS - School Curriculum and Resource Development and Review</i> |                   |   |           |   |
|   |                   | <ul style="list-style-type: none"> <li>• food labelling;</li> <li>• calculations of interest (using credit or loans for purchases);</li> <li>• renting.</li> </ul>  |           |   |
| 1.2.2   |                   | <p>Records documenting collaboration and the sharing of ideas with teachers on school curriculum content. Includes participation in teacher forums, including:</p> <ul style="list-style-type: none"> <li>• Victorian Commerce Teachers Association;</li> <li>• Maths Association of Victoria;</li> <li>• Victorian Association for the Teaching of English.</li> </ul> <p>Includes records documenting the gaining of membership or access to the forum and the monitoring and provision of responses.</p> | Temporary | Destroy 7 years after the date of submission. |
| 1.2.3   |                   | Records documenting evaluations provided on school curriculum content, including surveys completed by teachers and any feedback and suggestions from forums or seminars.  | Temporary | Destroy 2 years after survey completed.       |
| 1.2.4   |                   | Records documenting the analysis of survey results, feedback and suggestions from forums or seminars on school curriculum content.  | Temporary | Destroy 7 years after analysis completed.     |
| 1.2.5   |                   | Records documenting development of competitions and events to accompany consumer education curriculum in order to provide students with an  | Temporary | Destroy 7 years after competition concludes.  |

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| No  | Function/Activity          | Description  | Status    | Disposal Action                          |
|---|----------------------------|--|-----------|--|
| <i>CONSUMER ADVICE AND SUPPORT PROGRAMS - Scam Identification</i> |                            |  |           |  |
|   |                            | <p>opportunity to apply their learning.</p> <p>Includes records of any assessment process undertaken by the agency such as receiving and judging entries in competitions.</p> <p>Includes records of the issue of certificates of participation.</p> <p>[For the arrangement of events and exhibitions, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i>]</p>   |           |  |
| 1.3   | <b>Scam Identification</b> | <p>The process of identifying and exposing scams that may trap consumers into a poor purchase or otherwise deceive or disadvantage a consumer.</p> <p>A scam is defined as a scheme designed to take money dishonestly or deceitfully from a consumer and provide little or nothing in return.</p> <p>Includes scams that originated either within the Australian marketplace or overseas.</p> <p>[For complaints and prosecutions, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i>]</p> |           |  |
| 1.3.1   |                            | <p>Records documenting the identification of the scam originating and in use within Australia, research into the scam and the resulting actions/decisions.</p> <p>Includes the development of warnings for distribution to the public.</p> <p>Examples of scams originating in Australia include:</p>  | Temporary | Destroy 10 years after matter is closed. |

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| No  | Function/Activity   | Description  | Status    | Disposal Action                               |
|---|---|--|-----------|---|
| <i>CONSUMER ADVICE AND SUPPORT PROGRAMS - Scam Identification</i> |   |  |           |   |
|   |   | pyramid selling schemes; employment schemes (e.g. work from home, earn big money); lottery scams; prize award and merchandise offer scams; travelling con men or itinerant traders; weight loss, health and medical scams (miracle cures).   |           |   |
| 1.3.2   |   | <p>Records documenting the identification of a scam that originated overseas and is in international use. Includes the development of warnings for distribution to the public.</p> <p>Examples of scams originating overseas include: money transfer scams; chain letter scams that request money; lottery scams; prize award and merchandise offer scams; weight loss, health and medical scams (miracle cures); phishing scams (emails requesting account and/or banking details).</p>   | Temporary | Destroy 7 years after date warning is issued. |
| 2   | <b>REGISTRATION AND LICENSING OF BUSINESSES AND OCCUPATIONS</b> | <p>The registration and licensing of persons wanting to operate in regulated businesses and occupations, for the purposes of protecting consumer's interests, rights and entitlements. The types of business and occupations regulated by the agency include: Conveyancers, Owners Corporations, Sex Work Service Providers and Brothel Managers, Travel Agents, Motor Car Traders, Estate Agents, Introduction Agents, Credit Providers and Finance Brokers, Second-hand Dealers and Pawnbrokers, Retirement Villages and Funeral Providers.</p> <p>This function does not include the registration of small owner-operators (exempt sex work service provider) under Section 24 of the <i>Sex Work Act</i></p> |           |   |

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| No | Function/Activity | Description | Status | Disposal Action |
|----|-------------------|-------------|--------|-----------------|
|----|-------------------|-------------|--------|-----------------|

*REGISTRATION AND LICENSING OF BUSINESSES AND OCCUPATIONS - Registration and Licensing*

|     |                                   |  |  |  |
|-----|-----------------------------------|--|--|--|
|     |                                   | <p>1994, i.e. records associated with the registration, application and renewal processes for small owner operators (exempt sex work service providers).</p> <p>[For compliance, monitoring and enforcement activities, see 7.0.0]</p>   |  |  |
| 2.1 | <b>Registration and Licensing</b> | <p>The registration and licensing of persons wanting to operate in specific businesses and occupations. Includes the licensing of estate agents, motor car traders, sex work service providers, travel agents and conveyancers as well as the registration of secondhand dealers and pawnbrokers, introduction agents, owners corporations, retirement villages and funeral providers.</p> <p>Also includes the renewal of registrations and licences, and any checks or monitoring of submitted documentation required to approve a renewal.</p> <p><b>NB:</b> This section does <b>not</b> include the registration of small owner operators (exempt sex work service provider) under Section 24 of the <i>Sex Work Act 1994</i>.</p> <p>The Small Owner Operator Register (exempt sex work service provider) and its associated records are <b>not</b> included within the scope of all records disposal classes under 2.1 Registration and Licensing.</p> <p>Refer to the Single Instance Disposal Authority</p> |  |  |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

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| No | Function/Activity | Description | Status | Disposal Action |
|----|-------------------|-------------|--------|-----------------|
|----|-------------------|-------------|--------|-----------------|

*REGISTRATION AND LICENSING OF BUSINESSES AND OCCUPATIONS - Registration and Licensing*

|       |  |  |           |  |
|-------|--|--|-----------|--|
|       |  | issued 10 May 2022.  |           |  |
| 2.1.1 |  | Summary record of all licensees and registrants. Includes the name of licensee or registration holder, employers (if applicable), address of employer, business names (if applicable), conditions on licence or registration, details of granting, surrender, cancellation or suspension of licence or registration, dates licence or registration held and any other information required by Acts administered by the agency.   | Temporary | Destroy 12 years after licence or registration ceases. |
| 2.1.2 |  | Records documenting the granting, renewal and management of a licence or registration.<br><br>Includes: successful applications for licenses and registrations; notifications of intention to commence operation in a particular industry (as required by the conditions of licensing/registration) or to undertake a particular activity; reporting or notifications such as annual statements; exemptions from requirements, changing category of licence/registration, applications to amalgamate with another organisation, notifications of any changes in details or events that have to be reported e.g. business name, address, personnel, declarations of bankruptcy and any other information required by Acts administered by the agency.<br><br>[For records of payments and financial transactions regarding licence or registration applications and renewals, see <i>General Retention &amp; Disposal Authority</i> | Temporary | Destroy 12 years after licence or registration ceases. |

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| No   | Function/Activity | Description   | Status    | Disposal Action   |
|--|-------------------|---|-----------|---|
| <i>REGISTRATION AND LICENSING OF BUSINESSES AND OCCUPATIONS - Registration and Licensing</i> |                   |   |           |   |
|  |                   | <i>for Records of Common Administrative Functions.]</i>   |           |   |
| 2.1.3  |                   | Records documenting the granting of permission to apply for a licence or registration where the applicant is otherwise rendered ineligible due to prior acts or offences.   | Temporary | Destroy 12 years after permission granted.  |
| 2.1.4  |                   | Records documenting refused applications for any licence or registration due to the applicant not meeting criteria under relevant legislation. Includes records relating to any appeal process.   | Temporary | Destroy 12 years after date decision is made.   |
| 2.1.5  |                   | Records documenting the refusal of permission to apply for a licence or registration where the applicant was rendered ineligible by prior acts or offences and is unable to show cause as to why they should be permitted to apply for the licence or registration. | Temporary | Destroy 12 years after permission refused.  |
| 2.1.6  |                   | Records documenting applications for licensing or registration that are withdrawn before a determination is made, or are not completed, by the applicant.   | Temporary | Destroy 1 year after application is withdrawn or last contact made (whichever is the latter). |
| 2.1.7  |                   | Records documenting confirmation of registered contact or trading details. Includes notifications of changes.   | Temporary | Destroy 1 year after details are superseded.  |
| 2.1.8  |                   | Records documenting the monitoring of annual financial statements and independent audits in order to ensure that the operator is eligible to renew their  | Temporary | Destroy 12 years after licence or registration ceases.  |

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| No  | Function/Activity   | Description   | Status    | Disposal Action        |
|---|---|---|-----------|------------------------|
| <i>REGISTRATION OF INCORPORATED ASSOCIATIONS, LIMITED PARTNERSHIPS AND COOPERATIVES</i> |   |   |           |                        |
|   |   | registration or licence.  |           |                        |
| 3   | <b>REGISTRATION OF INCORPORATED ASSOCIATIONS, LIMITED PARTNERSHIPS AND COOPERATIVES</b> | <p>The registration of incorporated associations, limited partnerships and cooperatives.</p> <p>An incorporated association is a not-for-profit club or community group that through becoming incorporated becomes its own 'legal person' (i.e. the association becomes a distinct legal entity that continues regardless of changes to its membership).</p> <p>A partnership is made up of two or more people who jointly carry on business with a view to profit. A limited partnership is one where the liability of one or more partners for the debts and obligations of the business is limited.</p> <p>A co-operative is a democratic organisation, owned and controlled by its members for a common benefit. Members of a cooperative can benefit from economies of scale through the combined purchasing, distribution or marketing power or influence of the group. They share in the groups investment and operational risks and losses, as well as its benefit.</p> |           |                        |
| 3.1   | <b>Registration of Incorporated Associations, Limited Partnerships and Cooperatives</b> | The management of the registration, and renewals of registration, of incorporated associations, limited partnerships and cooperatives.  |           |                        |
| 3.1.1   |   | Summary record of registered incorporated   | Temporary | Destroy 15 years after |

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|----|-------------------|-------------|--------|-----------------|

*REGISTRATION OF INCORPORATED ASSOCIATIONS, LIMITED PARTNERSHIPS AND COOPERATIVES - Registration of Incorporated Associations, Limited Partnerships and Cooperatives*

|       |  |   |           |   |
|-------|--|---|-----------|---|
|       |  | associations, limited partnerships and cooperatives. Details include whether or not the association is a prescribed association, names of appointed public officers, registered name, previous name/s, addresses and previous addresses, date of registration, category of registration, current status of incorporation, Australian Business Number, and any other information required by Acts administered by the agency.  |           | registration ceases.                                |
| 3.1.2 |  | Records documenting the registration, renewal and management of incorporated associations, limited partnerships and cooperatives. Includes applications, records documenting variations to registrations and the ongoing administration of the body.<br><br>Records for cooperatives also include the proposed rules of the cooperative; details of the initial formation meeting; submissions for approval of special resolutions passed by the cooperative; notifications of the appointment of all directors and officers; and annual reports. | Temporary | Destroy 15 years after registration ceases.         |
| 3.1.3 |  | Unsuccessful applications to register as an incorporated association, limited partnership and cooperative. Includes records relating to any appeal.   | Temporary | Destroy 15 years after appeal period has concluded. |
| 3.1.4 |  | Records documenting confirmation of registered contact or trading details. Includes notifications of changes.   | Temporary | Destroy 1 year after details are superseded.        |



## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity  | Description  | Status    | Disposal Action                             |
|--|--|--|-----------|---|
| <i>REGISTRATION OF INCORPORATED ASSOCIATIONS, LIMITED PARTNERSHIPS AND COOPERATIVES - Registration of Incorporated Associations, Limited Partnerships and Cooperatives</i> |  |  |           |   |
| 3.1.5  |  | Records documenting the monitoring of annual financial statements and independent audits in order to ensure that the organisation is eligible to renew their registration.   | Temporary | Destroy 15 years after registration ceases. |
| 4  | <b>REGISTRATION OF ESTABLISHED PATRIOTIC FUNDS AND FUNDRAISERS</b> | <p>The establishment of patriotic funds and registration of fundraisers in accordance with legislation.</p> <p>Patriotic funds are trust funds created after World War 1, when Victorian communities raised money to assist returning soldiers and their families. A patriotic fund must be established if a person or body intends to collect funds, receive subscriptions or request donations for any purpose related to any military service or duty.</p> <p>Fundraisers are defined as occurring when any person or organisation, including a business, collects money for a beneficiary, cause or thing, rather than solely for their own profit or commercial benefit. This includes collecting of food, clothes and other items on behalf of a person or organisation. Fundraising activities may include, door knock appeals, telemarketing, events and auctions, traffic intersection / highway collections, appeals and the selling of goods where portions of the sale price are donated to a charity.</p> |           |   |
| 4.1  | <b>Establishment and Renewal of Patriotic Funds</b>                | The assessment of applications to establish patriotic funds, and the ongoing renewal of established funds.   |           |   |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No  | Function/Activity                  | Description  | Status    | Disposal Action                              |
|---|------------------------------------|--|-----------|--|
| <i>REGISTRATION OF ESTABLISHED PATRIOTIC FUNDS AND FUNDRAISERS - Establishment and Renewal of Patriotic Funds</i> |                                    |  |           |  |
| 4.1.1   |                                    | Summary record of established patriotic funds.<br>Includes name of fund, name of fund trustees and office bearers, signatories, and registered address for correspondence.   | Temporary | Destroy 50 years after last entry.           |
| 4.1.2   |                                    | Records documenting approved established patriotic funds.<br>Includes successful applications, approvals to transfer patriotic fund assets, notifications of changes of appointed trustees, treasurers or secretary), notification of closure of a patriotic fund, reporting on the fund (e.g. annual financial statements, audited accounts). | Temporary | Destroy 12 years after closure of fund.      |
| 4.1.3   |                                    | Unsuccessful applications for the establishment of patriotic funds.  | Temporary | Destroy 12 years after date of decision.     |
| 4.1.4   |                                    | Records documenting notification and confirmation of changes to registered contact details.  | Temporary | Destroy 1 year after details are superseded. |
| 4.2   | <b>Registration of Fundraisers</b> | The assessment of applications for the registration of fundraisers, including registration renewals.   |           |  |
| 4.2.1   |                                    | Summary record of registered fundraisers.<br>Includes the name and contact details of fundraisers, or a designated contact person, details of any fundraising appeals, details of the beneficiaries of fundraising appeals and amounts of distributed proceeds, and any other information required by the                                      | Temporary | Destroy 12 years after registration ceases.  |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity                     | Description   | Status    | Disposal Action                              |
|--|---------------------------------------|---|-----------|--|
| <i>REGISTRATION OF ESTABLISHED PATRIOTIC FUNDS AND FUNDRAISERS - Registration of Fundraisers</i> |                                       |   |           |  |
|  |                                       | regulations.  |           |  |
| 4.2.2  |                                       | Records documenting the registration, renewal and management of fundraisers.<br><br>Includes the successful application, records of the consent of the intended beneficiaries, reporting processes and the notification of any changes to registration details.                                   | Temporary | Destroy 12 years after registration ceases.  |
| 4.2.3  |                                       | Records documenting notification and confirmation of changes to registered contact or trading details.  | Temporary | Destroy 1 year after details are superseded. |
| 4.2.4  |                                       | Unsuccessful applications for the registration of fundraisers.  | Temporary | Destroy 12 years after date of decision.     |
| 5  | <b>REGISTRATION OF BUSINESS NAMES</b> | The registration of business names in accordance with the <i>Business Names Act 1962</i> .  |           |  |
| 5.1  | <b>Registration of Business Names</b> | The registration of business names. Includes the assessment of applications to register a business name.  |           |  |
| 5.1.1  |                                       | Summary record of business names registered.<br>Details include: <ul style="list-style-type: none"> <li>• business number issued, business name;</li> <li>• current status of registration (registered or cancelled);</li> <li>• date of registration or cancellation of registration;</li> </ul> | Permanent | Retain as State archives                     |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No | Function/Activity | Description | Status | Disposal Action |
|----|-------------------|-------------|--------|-----------------|
|----|-------------------|-------------|--------|-----------------|

*REGISTRATION OF BUSINESS NAMES - Registration of Business Names*

|  |  |   |  |  |
|--|--|---|--|--|
|  |  | <ul style="list-style-type: none"> <li>• date business commenced;</li> <li>• renewal of registration date;</li> <li>• nature of business;</li> <li>• current registered address of the business and date address registered;</li> <li>• previous registered address and date of cessation as registered address; current postal address;</li> <li>• each current address in the State where the business is carried on and date on which business commenced at that address;</li> <li>• previous address in the State where the business was carried on and date on which business ceased at that address;</li> <li>• current proprietor's name and date of commencement; current proprietor's residential address;</li> <li>• current proprietor's previous name and date of change of name;</li> <li>• former proprietor's name and date of cessation as proprietor;</li> <li>• former proprietor's last recorded residential address and former proprietor's previous name and date of change of name and any other information required to be maintained on the register by the legislation.</li> </ul> |  |  |
|--|--|---|--|--|

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity         | Description   | Status    | Disposal Action  |
|--|---------------------------|---|-----------|--|
| <i>REGISTRATION OF BUSINESS NAMES - Registration of Business Names</i> |                           |   |           |  |
| 5.1.2  |                           | Records documenting applications to register or renew the registration of business names or change of names registered.<br><br>Includes notifications of the cessation of business from persons or organisations to which a business name is registered. Also includes investigations including cases where the Director has cause to believe that a person or persons to whom a business name is registered is not carrying on business under the registered name. | Temporary | Destroy 12 years after registration issued by the State of Victoria has concluded. |
| 5.1.3  |                           | Records documenting notification and confirmation of changes to registered contact or trading details.  | Temporary | Destroy 1 year after details are superseded.                                       |
| 5.1.4  |                           | Records documenting applications to register business names that are refused.   | Temporary | Destroy 2 years after date of decision.  |
| 5.1.5  |                           | Records documenting applications to register business names that were not determined prior to transfer of business name registration function to the Commonwealth.  | Temporary | Destroy 4 years after date lodged with agency.                                     |
| 6  | <b>DISPUTE MANAGEMENT</b> | The management of consumer complaints with traders through a dispute resolution process including conciliation. Includes complaints against estate agents, residential accommodation, domestic building contracts, and those arising under current consumer legislation, including their resolutions.<br><br>[For enquiries, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative</i>   |           |  |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No  | Function/Activity                                      | Description   | Status    | Disposal Action   |
|---|--|---|-----------|---|
| <i>DISPUTE MANAGEMENT - Assessment of Complaints for Dispute Resolution</i> |  |   |           |   |
|   |  | <i>Functions.]</i>  |           |   |
| 6.1   | <b>Assessment of Complaints for Dispute Resolution</b> | <p>The assessment of complaints received to determine whether they will be accepted for conciliation services. Reasons for non-acceptance includes:</p> <ul style="list-style-type: none"> <li>• the nature of the complaint falls within the jurisdiction of another agency;</li> <li>• the amount of resources and time required to pursue the complaint are disproportional to the degree of detriment suffered by the consumer or the degree of potential detriment likely to be suffered by other consumers if the complaint is not acted on;</li> <li>• there is little likelihood of successful conciliation.</li> </ul> |           |   |
| 6.1.1   |  | <p>Records documenting complaints not accepted for action by the agency.</p> <p>Includes any response provided to the consumer about the complaint, such as the reasons for non-acceptance, and records relating to any appeal process.</p> <p>[For complaints that are accepted for conciliation, use 6.2.0.]</p> <p>[For complaints that are accepted for investigation, use 7.2.0.]</p>  | Temporary | Destroy 2 years after date of decision to not act on the complaint. |
| 6.2   | <b>Dispute Resolution</b>                              | The management of the complaint resolution process, including conciliation services, the provision  |           |   |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

**Authority number: PROS 11/04 VAR 3**

| No | Function/Activity | Description | Status | Disposal Action |
|----|-------------------|-------------|--------|-----------------|
|----|-------------------|-------------|--------|-----------------|

*DISPUTE MANAGEMENT - Dispute Resolution Case Management*

|       |                        |  |           |   |
|-------|------------------------|--|-----------|---|
|       | <b>Case Management</b> | of advice to the parties, and/or referrals to other agencies for further services.   |           |   |
| 6.2.1 |                        | <p>Summary records of disputes and complaints received that are acted upon.</p> <p>Includes name of complainant, name of other party, date complaint made, summary outline of the nature of the complaint, summary outline of steps taken and outcome, and the date of closure.</p>  | Temporary | Destroy 10 years after the date of creation.  |
| 6.2.2 |                        | <p>Records documenting complaint handling.</p> <p>Includes: initial collection of information regarding the dispute from the parties, notes of telephone interviews with parties to the complaint; copies of supporting documentation provided by either party; correspondence addressed to and received from parties to the complaint; case notes of decisions made and outcomes reached; referrals to other organisations or other parts of the agency; warnings issued for minor non compliance; agreed outcomes/resolution; and where a complaint is not resolved, advice on next steps that may be taken.</p> | Temporary | Destroy 7 years after matter closed.          |
| 6.2.3 |                        | <p>Records documenting inspections for the purposes of providing fair and objective advice and to prevent a dispute occurring. Includes inspections of residential tenancies, including Goods Left Behind inspections, Non-urgent Repair inspections, and Rent Assessment inspections.</p>   | Temporary | Destroy 7 years after the date of inspection. |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity                            | Description   | Status    | Disposal Action                             |
|--|--|---|-----------|---|
| <i>COMPLIANCE MONITORING AND ENFORCEMENT</i> |  |   |           |   |
| 7  | <b>COMPLIANCE MONITORING AND ENFORCEMENT</b> | <p>The monitoring of all traders to ensure compliance with the provisions of consumer legislation administered by the agency.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>the monitoring of businesses and occupations regulated by the agency;</li> <li>the monitoring of restricted purchases of real estate by estate agents;</li> <li>the supervision of Trust Accounts held by licensed estate agents under <i>Estate Agents Act 1980</i> or by licensed conveyancers as required under the <i>Conveyancers Act 2006</i>.</li> </ul> |           |   |
| 7.1  | <b>Conduct of Compliance Campaigns</b>       | <p>The monitoring of trader compliance through conducting compliance campaigns.</p> <p>Activities include inspections and other forms of assessment and checks of traders to ensure banned or unsafe products are not being offered for sale.</p> <p>[For checking of annual financial statements or independent audits see 2.1.0]</p> <p>[For records of inspections that are not part of a campaign, see 7.2.0]</p>   |           |   |
| 7.1.1  |  | <p>Records documenting the planning and implementation of compliance campaigns.</p> <p>Includes records that identify the targeting of specific traders, regulated businesses and occupations or</p>  | Temporary | Destroy 7 years after date campaign ceases. |



## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity                                | Description  | Status    | Disposal Action                                     |
|--|--|--|-----------|---|
| <i>COMPLIANCE MONITORING AND ENFORCEMENT - Compliance Inspections and Investigations</i> |  |  |           |   |
|  |  | industry practices and the reporting and analysis of campaign results.   |           |   |
| 7.2  | <b>Compliance Inspections and Investigations</b> | The monitoring of trader compliance through inspections of premises, equipment or goods, and investigations into allegations of non-compliance received from the public or identified during an inspection.  |           |   |
| 7.2.1  |  | Records documenting the exercise of powers of entry by inspectors. Includes summary records or registers of instances where powers of entry are applied, and where goods or samples are seized or taken while on the premises.   | Temporary | Destroy 7 years after date of inspection.           |
| 7.2.2  |  | Records documenting applications to magistrates for the issue of a search warrant in circumstances where an inspector believes that there may be evidence of the commission of an offence against an Act, which is located on premises or in a location for which the inspector does not have powers of entry. | Temporary | Destroy 7 years after conclusion of investigation.  |
| 7.2.3  |  | Records documenting inspections and investigations that do not lead to any enforcement action.<br><br>Includes verbal warnings and / or written instructions given out where minor or unintentional non-compliance is identified.  | Temporary | Destroy 7 years after conclusion of investigation.  |
| 7.2.4  |  | Records of inspections and investigations that lead to: written warnings or contravention notices; infringement notices (fines); suspension of a licence   | Temporary | Destroy 12 years after conclusion of investigation. |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

**Authority number: PROS 11/04 VAR 3**

| No   | Function/Activity    | Description  | Status    | Disposal Action   |
|--|----------------------|--|-----------|---|
| <i>COMPLIANCE MONITORING AND ENFORCEMENT - Compliance Inspections and Investigations</i> |                      |  |           |   |
|  |                      | <p>or registration; and /or the imposition of conditions or restrictions on a licence or registration, but not to the cancelling of any licence or registration.</p> <p>Includes the prosecution of any related offences.</p>  |           |   |
| 7.2.5  |                      | <p>Records documenting inspections and investigations that lead to the cancelling of any licence or registration.</p> <p>Includes: applications to Victorian Civil and Administrative Tribunal (VCAT) to conduct a Disciplinary Inquiry; the prosecution of serious offences; records documenting the winding up of an organisation upon issue of a certificate of the Registrar or upon application to the Supreme Court; court applications and the consideration of any submission by the organisation when asked to show cause why the notice should not be given.</p> | Temporary | Destroy 12 years after date of cancellation of the licence or registration. |
| 7.3  | <b>Interventions</b> | The enforcement of trader compliance through acts of intervention such as the appointment of statutory managers or receivers.  |           |   |
| 7.3.1  |                      | <p>Records relating to the appointment of a statutory manager or an administrator for a registered entity.</p> <p>Includes court applications, the notice of appointment, appointment conditions, term of appointment, resulting reports on interventions made, records of the termination of appointment, and the consideration of any submissions made by the registered party following notification of</p>   | Temporary | Destroy 12 years after appointment expires.                                 |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No | Function/Activity | Description | Status | Disposal Action |
|----|-------------------|-------------|--------|-----------------|
|----|-------------------|-------------|--------|-----------------|

*COMPLIANCE MONITORING AND ENFORCEMENT - Interventions*

|       |   |   |           |   |
|-------|---|---|-----------|---|
|       |   | impending de-registration by the Registrar.   |           |   |
| 7.3.2 |   | Records documenting the appointment of receivers.<br>Includes court applications, the notice of appointment, appointment conditions, term of appointment, resulting reports on interventions made, and the records documenting the termination of appointment.  | Temporary | Destroy 12 years after appointment expires.     |
| 7.4   | <b>Estate Agent &amp; Conveyancer's Trust Account Supervision</b> | The supervision of Trust Accounts held by licensed estate agents under <i>Estate Agents Act 1980</i> or by licensed conveyancers as required under the <i>Conveyancers Act 2006</i> .<br><br>Includes the receipt of notifications of the establishment or closure of General or Statutory Deposit Trust Accounts, the monitoring of account balances and transactions, reporting by Trust Account holders and the investigation of any account deficiencies or irregularities. |           |   |
| 7.4.1 |   | Records documenting notifications received from licensed estate agents or conveyancers concerning the establishment or closure of general trust accounts with approved Authorised Deposit Taking Institutions (ADIs).   | Temporary | Destroy 7 years after closure of trust account. |
| 7.4.2 |   | Statements of balances, transactions and deficiencies for General and Statutory Deposit Trust Accounts.<br>Includes notifications by banks of negative or otherwise unusual balances in trust accounts.   | Temporary | Destroy 7 years after date of statement.        |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity                                    | Description  | Status    | Disposal Action                                     |
|--|--|--|-----------|---|
| <i>COMPLIANCE MONITORING AND ENFORCEMENT - Trust Account Examinations and Investigations</i> |  |  |           |   |
| 7.5  | <b>Trust Account Examinations and Investigations</b> | <p>The conduct of external examinations and the investigation of possible offences concerning trust money and trust accounts.</p> <p>Includes annual examination reports and reports that are submitted when a licensee ceases to be authorised to receive trust money. Also includes monitoring of the payments made into trust accounts as required by legislation, and payments of interest earned on trust accounts to the agency.</p> |           |   |
| 7.5.1  |  | Reports on the external examination and audit of estate agent or conveyancers trust accounts that reveal deficiencies or potential offences and lead to investigations. Includes records documenting investigations and information obtained under compulsory powers.  | Temporary | Destroy 30 years after conclusion of investigation. |
| 7.5.2  |  | Reports on the external examination and audit of estate agent or conveyancers trust accounts that do not reveal deficiencies or potential offences and do not lead to investigations.  | Temporary | Destroy 7 years after date of reporting.            |
| 7.5.3  |  | Records documenting the approval of individuals to act as external examiners of estate agent or conveyancers trust accounts. Includes any external auditor requirement exemptions.   | Temporary | Destroy 7 years after approval ceases.              |
| 7.6  | <b>Estate Agent Property Purchasing Restrictions</b> | The authorisation of the purchasing of properties by estate agents, their employees or an immediate family member of either, for which they have been  |           |   |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity                           | Description   | Status    | Disposal Action                                    |
|--|---|---|-----------|--|
| <i>COMPLIANCE MONITORING AND ENFORCEMENT - Estate Agent Property Purchasing Restrictions</i> |   |   |           |  |
|  |   | commissioned to sell.   |           |  |
| 7.6.1  |   | Records documenting the assessment of applications made by an estate agent or their licensed employee, or an immediate family member of either, wishing to purchase a property they have been commissioned to sell. Includes the application and supporting records such as vendor consents, statements of contracts of sale and statutory declarations.  | Temporary | Destroy 7 years after purchase approved or denied. |
| 8  | <b>GOVERNMENT TRUST FUND MANAGEMENT</b>     | <p>The management of trust funds established by the agency under various Acts to protect consumers in designated industries.</p> <p>A Government trust fund is established and its purpose defined under legislation. For example, the purpose of some trust funds is to meet the cost of administration of their establishing legislation. In some cases, the purpose of trust funds may also include funding for compensation schemes and grants programs.</p> <p>[For financial reporting, audits and transactions, including the payment of fees and penalties into the Trust Funds, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i>]</p> |           |  |
| 8.1  | <b>Management of Trust Fund Investments</b> | The investment of trust fund monies and the receipt of reports on investment progress. Includes the re-investment of profits into industry-specific programs.   |           |  |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity | Description  | Status    | Disposal Action   |
|--|-------------------|--|-----------|---|
| <i>GOVERNMENT TRUST FUND MANAGEMENT - Management of Trust Fund Investments</i> |                   |  |           |   |
| 8.1.1  |                   | <p>Records documenting the management of investments of trust fund monies. Includes daily administration of payments received, investment adjustments made and reports on investment progress.</p> <p>[For financial statements on investment performance see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i>]</p>   | Temporary | Destroy 7 years after the completion of the financial year in which the record was created. |
| 8.1.2  |                   | <p>Records documenting payments made out of trust funds to settle claims lodged by consumers, or as loans to applicants.</p> <p>[For records documenting claims on the Victorian Property Fund see 8.2.0.]</p> <p>[For the records of committees or panels that are established to receive and determine claims, and their deliberations, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i>]</p>     | Temporary | Destroy 7 years after the completion of the financial year in which the record was created. |
| 8.1.3  |                   | <p>Records documenting returns from investment and their allocation to programs designed to support and/or educate the consumer when dealing with a particular industry.</p> <p>[For records documenting grant payments made out of trust funds to members of the public or organisations to fund education, advice or support programs for consumers or industry participants, see <i>General Retention &amp; Disposal Authority for Records of</i></p> | Temporary | Destroy 7 years after the completion of the financial year in which the record was created. |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity                                       | Description   | Status    | Disposal Action                          |
|--|---|---|-----------|--|
| <i>GOVERNMENT TRUST FUND MANAGEMENT - Victorian Property Fund Claim Management</i> |   |   |           |  |
|  |   | <i>Common Administrative Functions.]</i>  |           |  |
| 8.2  | <b>Victorian Property Fund Claim Management</b>         | <p>The investigation and determination of claims against the Victorian Property Fund.</p> <p>The Victorian Property Fund is a trust fund established under the <i>Estate Agents Act</i> 1980. Individuals or corporations that suffer monetary loss because of misappropriation by: a licensed estate agent, a licensed conveyancer, or an employee of a licensed estate agent or licensed conveyancer, can lodge a claim for the full amount of their monetary loss.</p> <p>Includes the collection and investigation of evidence, claim reporting, and recommendations as to whether the claim should be allowed. Also includes records of claimant appeal.</p> |           |  |
| 8.2.1  | <b>Summary record of Victorian Property Fund Claims</b> | Includes claim identifier (ID), claimants name, address and practitioner details, result of claim and amount being claimed, the date of claim, date of default, the date that the claim form received and public notice published as well as details of the defaulting entity / licensee.   | Temporary | Destroy 50 years after claim determined. |
| 8.2.2  |   | Records documenting investigations of claims against the Victorian Property Fund that are rejected or partially allowed and are subsequently appealed. Includes the collection and investigation of evidence, claim reporting, and recommendations as to whether the claim should be allowed. Also includes records of  | Temporary | Destroy 15 years after appeal concluded. |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity                        | Description   | Status    | Disposal Action                          |
|--|--|---|-----------|--|
| <i>GOVERNMENT TRUST FUND MANAGEMENT - Victorian Property Fund Claim Management</i> |  |   |           |  |
|  |  | claimant appeal.  |           |  |
| 8.2.3  |  | Records documenting investigations of claims against the Victorian Property Fund that are rejected or partially allowed and but are not subsequently appealed. Includes the collection and investigation of evidence, claim reporting, and recommendations as to whether the claim should be allowed. | Temporary | Destroy 15 years after claim determined. |
| 8.2.4  |  | Records documenting investigations of claims against the Victorian Property Fund that are allowed in full. Includes the collection and investigation of evidence, claim reporting, and recommendations as to whether the claim should be allowed.   | Temporary | Destroy 15 years after claim determined. |
| 8.2.5  |  | Records documenting the recovery of subrogated debt, where the Secretary of the Department of Justice has sought to recover money from licensees whose fraudulent or dishonest dealings led to their clients making successful Victorian Property Fund claims.  | Temporary | Destroy 7 years after claim determined.  |
| 8.3  | <b>Approval of Trust Account Courses</b> | The examination and approval of education courses required to be completed by a person wishing to audit or assist in the audit of trust accounts under an Act that regulates a licensed industry.   |           |  |
| 8.3.1  |  | Records documenting the assessment and approval of education courses including records relating to the cessation or revocation of approval.   | Temporary | Destroy 7 years after approval ceases.   |



## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No                    | Function/Activity                              | Description  | Status    | Disposal Action          |
|-----------------------|--|--|-----------|--------------------------|
| <i>PRODUCT SAFETY</i> |  |  |           |                          |
| 9                     | <b>PRODUCT SAFETY</b>                          | <p>The management of processes designed to protect consumers from dangerous consumer products.</p> <p>Includes the development of product safety standards based on Australian standards where they exist for the products and the banning of products judged to be dangerous to the health and well being of consumers.</p> <p>[For monitoring of traders to ensure banned products are not being offered for sale, see 7.0.0.]</p>   |           |                          |
| 9.1                   | <b>Development of Product Safety Standards</b> | <p>The development of product safety standards (based on Australian standards but adapted to the Victorian marketplace) to prevent products from causing death or serious injury in the ordinary course of use.</p> <p>Safety standards can include rules for: how the product should work, what it is made of, how it is manufactured, design, construction and finish, packaging, testing, warnings and instructions.</p> <p>Includes consultation with industry bodies or individual traders/manufacturers regarding the development of product safety standards.</p> |           |                          |
| 9.1.1                 |  | Records that document approved product safety standards including records created in their formation such as strategic planning, major consultation summaries and drafts with significant changes.   | Permanent | Retain as State archives |
| 9.1.2                 |  | Records documenting detailed responses or  | Permanent | Retain as State archives |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No  | Function/Activity                          | Description   | Status    | Disposal Action                         |
|---|--|---|-----------|---|
| <i>PRODUCT SAFETY - Development of Product Safety Standards</i> |  |   |           |   |
|   |  | submissions to requests for comment on product safety standards that influence the discussion or the content in the standard.   |           |   |
| 9.1.3   |  | Records documenting minor responses to requests for comment on product safety regulation and standards  | Temporary | Destroy 5 years after date of response. |
| 9.1.4   |  | Records documenting a nil response to requests for comment on product safety regulation and standards.  | Temporary | Destroy after when reference ceases.    |
| 9.2   | <b>Product Testing &amp; Investigation</b> | <p>The testing and investigation of products that are considered dangerous or which are likely to cause death or serious injury, and the placing of ban orders.</p> <p>Includes selection of products for testing/investigation using a product safety standard checklist, reports on test results from test laboratories, manufacturer's specifications and materials lists, documentation regarding reported faults or complaints about a product, and/or recommendations based on test/investigation results.</p> <p>[For compliance checks on the sale of products by traders see 4.1.0.]</p> |           |   |
| 9.2.1   |  | Reports that result in a permanent ban being issued for a product. Includes testing and investigation results, analysis and recommendations.  | Permanent | Retain as State archives                |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

**Authority number: PROS 11/04 VAR 3**

| No  | Function/Activity                                     | Description  | Status    | Disposal Action   |
|---|---|--|-----------|---|
| <i>PRODUCT SAFETY - Product Testing &amp; Investigation</i> |   |  |           |   |
| 9.2.2   |   | Reports that result in an interim or fixed term ban being issued for a product. Includes testing and investigation results, analysis and recommendations.  | Temporary | Destroy 10 years after ban is lifted.                       |
| 9.2.3   |   | Reports that result in the product declared to be safe and no ban order is applied. Includes testing and investigation results, analysis and recommendations.  | Temporary | Destroy 10 years after last access.                         |
| 9.2.4   |   | Records documenting the testing and investigation process, including raw data, test calibrations against the relevant product standard, investigation notes and draft recommendations.   | Temporary | Destroy 10 years after conclusion of test or investigation. |
| 9.2.5   |   | Records documenting the issue of compulsory product recall notices by agency.  | Permanent | Retain as State archives                                    |
| 9.2.6   |   | Records documenting the issue of voluntary product recall notices by manufacturers or suppliers.   | Temporary | Destroy 10 years after last action.                         |
| 10  | <b>CERTIFICATION OF TRADE MEASUREMENT INSTRUMENTS</b> | <p>The inspecting or testing of trade measurement instruments for accuracy and the issuing of certificates to permit instruments to be used for trade purposes.</p> <p>Instruments can include:</p> <ul style="list-style-type: none"> <li>• Scales and weights;</li> <li>• Metered pumps e.g. fuel pumps;</li> <li>• Factory equipment used to pre-package articles by weight or volume;</li> </ul> |           |   |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No  | Function/Activity  | Description  | Status    | Disposal Action  |
|---|--|--|-----------|--|
| <i>CERTIFICATION OF TRADE MEASUREMENT INSTRUMENTS - Issue of Service Licences and Batch Testing Approvals</i> |  |  |           |  |
|   |  | <ul style="list-style-type: none"> <li>• Measuring devices for fluid;</li> <li>• Measuring devices for length e.g. fabric.</li> </ul> <p>Includes the issue of authorisations to mark measures and approvals for batch testing of measures.</p> <p>[For records relating to fee payments, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i>]</p> |           |  |
| 10.1  | <b>Issue of Service Licences and Batch Testing Approvals</b> | The issue of service licences to allow a person or business carry out testing and certification of trade measurement instruments under the <i>Trade Measurement Act 1995</i> , and the issue of approvals to allow an approved manufacturer to test and mark batches of glass measures under the <i>Trade Measurement Regulations 2007</i> .   |           |  |
| 10.1.1  |  | <p>Summary record of service licences and batch testing approvals.</p> <p>Includes the name of the licensee/s or approved manufacturer, registered business name/s, address, contact details and names of certifiers employed.</p>   | Temporary | Destroy 10 years after last action.                            |
| 10.1.2  |  | <p>Records of applications to hold a service licence or for approval to batch test glass measures.</p> <p>Includes application forms, supporting documentation, drawings of certification mark to be used, and fee payment records.</p>  | Temporary | Destroy 5 years after the licence is surrendered or cancelled. |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

**Authority number: PROS 11/04 VAR 3**

| No  | Function/Activity                   | Description  | Status    | Disposal Action   |
|---|-------------------------------------|--|-----------|---|
| <i>CERTIFICATION OF TRADE MEASUREMENT INSTRUMENTS - Issue of Service Licences and Batch Testing Approvals</i> |                                     |  |           |   |
| 10.1.3  |                                     | Records of unsuccessful, withdrawn or incomplete applications to hold or to renew a service licence or an approval to batch test glass measures.<br><br>Includes application forms, supporting documentation, criminal record checks and records of the reasons for being unsuccessful.  | Temporary | Destroy 5 years after the date of the application.          |
| 10.1.4  |                                     | Records documenting the suspension or cancellation of a service licence or approval to batch test glass measures following discovery of wrongdoing or inadequate performance under the provisions of the licence/approval.<br><br>[For Litigation, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i> ] | Temporary | Destroy 5 years after the date of suspension or revocation. |
| 10.2  | <b>Certification of Instruments</b> | The testing, calibration, minor repair and certification of instruments used for trade measurement.<br><br>Includes the identification of instruments unable to be certified for use.  |           |   |
| 10.2.1  |                                     | A summary report of certificates issued by a servicing licensee, which is submitted regularly to the agency along with a payment of a fee for each certification performed.  | Temporary | Destroy 5 years after the date of report.                   |
| 10.2.2  |                                     | Records of certificates issued to permit the use of an instrument for trade measurement purposes.  | Temporary | Destroy 2 years after the date of issue.                    |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

**Authority number: PROS 11/04 VAR 3**

| No   | Function/Activity                          | Description   | Status    | Disposal Action                                  |
|--|--|---|-----------|--|
| <i>CERTIFICATION OF TRADE MEASUREMENT INSTRUMENTS - Certification of Instruments</i> |  |   |           |  |
| 10.2.3   |  | Records of the certification process, including notes of tests conducted, results and minor repairs performed.  | Temporary | Destroy 2 years after the date of creation.      |
| 10.2.4   |  | Records of the certification assessment process where the instrument was unable to be certified.  | Temporary | Destroy 2 years after the date of creation.      |
| 10.2.5   |  | Records of batch test results, including sampling protocols followed and individual results.  | Temporary | Destroy 2 years after the date of creation.      |
| 10.3   | <b>Authorisation of Marks for Measures</b> | Authorisation under the <i>Trade Measurements Regulations 2007</i> for a manufacturer to apply an approved mark to a manufactured measure e.g. a manufacturer of drinking glasses may apply for a mark that states the volume of liquid a standard glass will hold. |           |  |
| 10.3.1   |  | Summary records of marks issued. Includes the date of issue, drawing of the mark approved, name and contact details of manufacturer who may use the mark, and conditions of issue.  | Temporary | Destroy 15 years after the authorisation ceases. |
| 10.3.2   |  | Records documenting authorisations issued. Includes the application, supporting documentation, drawings of the mark to be used and copies of the authorisation issued. Also includes notice from the applicant that they wish to change or cease using a mark.      | Temporary | Destroy 7 years after the authorisation ceases.  |
| 10.3.3   |  | Unsuccessful applications for authorisation. Includes the application, supporting documentation, and  | Temporary | Destroy 7 years after the date of decision.      |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No | Function/Activity | Description | Status | Disposal Action |
|----|-------------------|-------------|--------|-----------------|
|----|-------------------|-------------|--------|-----------------|

*CERTIFICATION OF TRADE MEASUREMENT INSTRUMENTS - Authorisation of Marks for Measures*

|        |                                      |  |           |   |
|--------|--------------------------------------|--|-----------|---|
|        |                                      | reasons for the decision.  |           |   |
| 10.3.4 |                                      | Records documenting the suspension or cancellation of an authorisation following discovery of wrongdoing under the provisions of the authorisation.  | Temporary | Destroy 7 years after the re-instatement of the authorisation or conclusion of any appeal following cancellation. |
| 11     | <b>TRADE MEASUREMENT INSPECTIONS</b> | The appointment of Trade Measurement inspectors, the conduct of routine inspections, and the investigation of complaints received about certified instruments.   |           |   |
| 11.1   | <b>Appointments of Inspectors</b>    | The appointment of Trade Measurement inspectors under section 9(1)(a) of the <i>Trade Measurement (Administration) Act 1995</i> .  |           |   |
| 11.1.1 |                                      | Records of the appointment of inspectors, including the issue of certificates of authority under section 15 of the <i>Trade Measurement (Administration) Act 1995</i> to allow the inspector to enter premises for the purpose of administering the Act. | Temporary | Destroy 5 years after expiry of the appointment.  |
| 11.1.2 |                                      | Records of the suspension or cancellation of an inspector's appointment.<br><br>Includes investigations and appeals.   | Temporary | Destroy 5 years after date appointment is re-instated or terminated.  |
| 11.2   | <b>Inspections</b>                   | The undertaking out of routine or targeted inspections of traders and manufacturers.   |           |   |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity | Description   | Status | Disposal Action |
|--|-------------------|---|--------|-----------------|
| <i>TRADE MEASUREMENT INSPECTIONS - Inspections</i> |                   |   |        |                 |
|  |                   | <p>Routine inspections are undertaken to check that:</p> <ul style="list-style-type: none"> <li>• all trade measurement instruments are certified;</li> <li>• certified instruments have been accurately tested;</li> <li>• certified instruments have been correctly marked;</li> <li>• labelling is accurate and correctly applied;</li> <li>• marks are correctly applied to manufactured goods;</li> <li>• weights and measures of pre-packed articles are correct;</li> <li>• exemptions are being correctly adhered to;</li> <li>• batch testing is being carried out correctly.</li> </ul> <p>Targeted inspections (also known as blitzes) audit a particular aspect of trade measurement that has come to the agency's attention as an emerging issue through e.g. the media or a pattern of complaints received. The topics of targeted inspections may include:</p> <ul style="list-style-type: none"> <li>• goods manufactured for a particular event, for example Easter eggs;</li> <li>• specific industries, such as petrol stations or egg producers;</li> <li>• a region or geographical area.</li> </ul> <p><i>[For Prosecutions, see General Retention &amp; Disposal</i></p> |        |                 |



## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity               | Description   | Status    | Disposal Action  |
|--|---------------------------------|---|-----------|--|
| <i>TRADE MEASUREMENT INSPECTIONS - Inspections</i> |                                 |   |           |  |
|  |                                 | <i>Authority for Records of Common Administrative Functions.]</i>   |           |  |
| 11.2.1   |                                 | Records of site visits and checks made of instruments, marks, weights and labelling.<br><br>Includes records of visitation reports, and verbal and written warnings issued to the trader / manufacturer at the completion of an inspection. | Temporary | Destroy 5 years after the date of creation.                  |
| 11.2.2   |                                 | Records of notices issued during inspections, including: <ul style="list-style-type: none"> <li>• contravention notices;</li> <li>• infringements.</li> </ul>   | Temporary | Destroy 5 years after the date of creation.                  |
| 11.2.3   |                                 | Records of enforceable undertakings applied following an inspection.  | Temporary | Destroy 7 years after the date of expiry of the undertaking. |
| 11.3   | <b>Complaint Investigations</b> | Inspections of trading or manufacturing premises for the purpose of investigating a complaint made in relation to the use / misuse of trade measurement instruments, marks, weights or labels.  |           |  |
| 11.3.1   |                                 | Records of site visits and checks made of instruments or goods where the complaint was not substantiated. Includes visitation reports.  | Temporary | Destroy 2 years after the date of creation.                  |
| 11.3.2   |                                 | Records of site visits and checks made of instruments or goods where the complaint was substantiated and a verbal or written warning issued   | Temporary | Destroy 5 years after warning is issued.                     |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No  | Function/Activity   | Description   | Status    | Disposal Action   |
|---|---|---|-----------|---|
| <i>TRADE MEASUREMENT INSPECTIONS - Complaint Investigations</i> |   |   |           |   |
|   |   | to the trader/manufacturer. Includes visitation reports.  |           |   |
| 11.3.3  |   | Records of site visits and checks made of instruments or goods where the complaint was substantiated and a notice issued. Includes visitation reports.<br><br>Notices issued include: <ul style="list-style-type: none"> <li>• Contravention notices - with inspectors;</li> <li>• Infringements - in the complaint management system;</li> <li>• Seizures of Instruments - with inspectors.</li> </ul> | Temporary | Destroy 7 years after notice is issued.                                   |
| 11.3.4  |   | Records of site visits and checks made of instruments or goods where a complaint was substantiated and an enforceable undertaking agreement results. Includes visitation reports.   | Temporary | Destroy 7 years after expiry of the undertaking.                          |
| 11.3.5  |   | Records of site visits and checks made of instruments or goods where a complaint was substantiated and prosecution results. Includes visitation reports.  | Temporary | Destroy 7 years after prosecution concludes and appeal period has lapsed. |
| 12  | <b>MAINTENANCE OF TRADE MEASUREMENT REFERENCE STANDARDS</b> | The certification of standard masses or volumes for use as standards when testing trade measurement instruments. This certification is based on the mass or volume measuring device that is to be used as a standard matching an internationally recognised reference standard e.g. the international one kilogram mass reference standard is held by the   |           |   |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity   | Description  | Status    | Disposal Action                              |
|--|---|--|-----------|--|
| <i>MAINTENANCE OF TRADE MEASUREMENT REFERENCE STANDARDS - Certification of Reference Standard Masses and Volumes</i> |   |  |           |  |
|  |   | <p>International Bureau of Weights and Measures in France and defines exactly how much one kilogram weighs.</p> <p>The National Measurement Laboratory of Australia has adopted this standard as the reference standard to be used in Australia, therefore all agencies must ensure that any standards they use to test e.g. a one kilogram weight match the reference standard exactly.</p> <p>[For Contracts with Testing Laboratories, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i>]</p> |           |  |
| 12.1   | <b>Certification of Reference Standard Masses and Volumes</b> | The testing and certification of standard masses or volumes for use by servicing licensees and inspectors.   |           |  |
| 12.1.1   |   | Records documenting the testing and certification of standard masses or volumes for use by servicing licensees and inspectors. Includes post certification queries and adjustments.  | Temporary | Destroy 7 years after expiry of certificate. |
| 12.2   | <b>Reference Standard Reporting</b>                           | The reporting undertaken by the testing laboratory on the number and type of standards tested and the results of the test.   |           |  |
| 12.2.1   |   | Reports that indicate the name and type of standards tested and the results of the tests.  | Temporary | Destroy 7 years after date of report.        |
| 13   | <b>LICENSING OF</b>   | The licensing of weighbridges for public use. Includes   |           |  |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No  | Function/Activity                                       | Description  | Status    | Disposal Action                            |
|---|---|--|-----------|--|
| <i>LICENSING OF WEIGHBRIDGES - Issue of Suitability Certificates and Statements</i> |   |  |           |  |
|   | <b>WEIGHBRIDGES</b>                                     | publicly and privately owned weighbridges.<br>The agency assesses whether the weighbridge is: <ul style="list-style-type: none"> <li>• of a design/size suitable for operating as a scales for large or heavy vehicles;</li> <li>• installed in a manner suitable for operation as a weighbridge i.e. is safely accessible by a large/heavy vehicle without reversing either on or off the weighing platform.</li> </ul> |           |  |
| 13.1  | <b>Issue of Suitability Certificates and Statements</b> | Certificates or statements issued by Consumer Affairs Victoria that state that a weighbridge is 'fit for purpose' or suitable for weighing large/heavy vehicles.   |           |  |
| 13.1.1  |   | Records documenting certificates of suitability or suitability statements issued to a prospective public weighbridge operators.<br><br>Includes applications for a certificate of suitability or suitability statement, supporting documentation, specifications of the weighbridge, inspection notes and any conditions imposed as part of the certificate.   | Temporary | Destroy 5 years after the date of expiry.  |
| 13.1.2  |   | Records of unsuccessful applications for certificates of suitability/suitability statements.<br><br>Includes applications, supporting documentation, specifications of the weighbridge, inspection notes and reasons for decision.   | Temporary | Destroy 5 years after date of application. |
| 13.2  | <b>Issue of Weighbridge</b>                             | The issue of licences under section 43 of the <i>Trade</i>   |           |  |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No | Function/Activity | Description | Status | Disposal Action |
|----|-------------------|-------------|--------|-----------------|
|----|-------------------|-------------|--------|-----------------|

*LICENSING OF WEIGHBRIDGES - Issue of Weighbridge Licences*

|        |                 |  |           |   |
|--------|-----------------|--|-----------|---|
|        | <b>Licences</b> | <i>Measurement Act 1995</i> to permit a privately owned and operated weighbridge to offer a vehicle weighing service to the public.  |           |   |
| 13.2.1 |                 | Records of applications to hold a public weighbridge licence or to renew a public weighbridge licence.<br><br>Includes application forms, supporting documentation and fee payment records. Also includes notification by a weighbridge operator that they are ceasing to operate and wish to cancel their licence or allow it to lapse.   | Temporary | Destroy 5 years after the licence expires or is cancelled.  |
| 13.2.2 |                 | Records of unsuccessful, withdrawn or incomplete applications to hold or to renew a public weighbridge licence.<br><br>Includes application forms, supporting documentation, records of criminal checks and records of the reasons for being unsuccessful.   | Temporary | Destroy 5 years after the date of the application.          |
| 13.2.3 |                 | Records of public weighbridge licence suspension or revocation.<br><br>The suspension or cancellation of a public weighbridge licence may occur following discovery of wrongdoing or inadequate performance under the provisions of the licence.<br><br>[For Litigation, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i> ] | Temporary | Destroy 5 years after the date of suspension or revocation. |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity                              | Description   | Status    | Disposal Action                               |
|--|--|---|-----------|---|
| <i>LICENSING OF WEIGHBRIDGES - Issue of Weight Tickets</i> |  |   |           |   |
| 13.3   | <b>Issue of Weight Tickets</b>                 | The issue of tickets by a public weighbridge operator regarding the weight and carrying capacity of a vehicle. Vehicles include trucks, caravans and trailers.  |           |   |
| 13.3.1   |  | Records documenting tickets that have been issued by a public weighbridge operator for the weight and carrying capacity of a vehicle.   | Temporary | Destroy 2 years after date of ticket.         |
| 14   | <b>TRADE MEASUREMENT EXEMPTIONS MANAGEMENT</b> | The issuing of exemptions under the <i>Trade Measurement Act 1995</i> . Exemptions may be issued from marking requirements on packaging, marking requirements on goods such as textiles, or re-verification of marks on marked volumes or marked lengths.   |           |   |
| 14.1   | <b>Assessment of Exemption Requests</b>        | The assessment of requests for exemptions under the <i>Trade Measurement Act 1995</i> .   |           |   |
| 14.1.1   |  | Records documenting applications for exemption permits that are approved and issued. Includes applications and supporting documentation, copies of the issued exemption permit approval, conditions of the exemption and subsequent correspondence regarding the implementation and use of the exemption. | Temporary | Destroy 12 years after date exemption issued. |
| 14.1.2   |  | Records documenting applications for exemption that are not approved.<br><br>Includes applications, supporting documentation and  | Temporary | Destroy 7 years after date of decision.       |

## Retention and Disposal Authority for Records of Consumer Affairs Functions

Authority number: PROS 11/04 VAR 3

| No   | Function/Activity                                | Description   | Status    | Disposal Action                         |
|--|--|---|-----------|---|
| <i>TRADE MEASUREMENT ADVICE AND CONSULTATION</i> |  |   |           |   |
|  |  | reasons for not approving the application.  |           |   |
| 15   | <b>TRADE MEASUREMENT ADVICE AND CONSULTATION</b> | The provision of advice to and consultation with traders, manufacturers, licensees or industry bodies regarding trade measurement regulation.<br><br>[For Enquiries, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i> ]<br><br>[For the development of legislation or regulations, see <i>General Retention &amp; Disposal Authority for Records of Common Administrative Functions.</i> ] |           |   |
| 15.1   | <b>Advice</b>                                    | The provision of advice to traders, manufacturers and licensees on aspects of Trade Measurement compliance.   |           |   |
| 15.1.1   |  | Records documenting the provision of detailed advice and information to address the concerns of a trader, manufacturer or licensee with regard to implementing or complying with trade measurement regulations that are unique to their particular situation.   | Temporary | Destroy 5 years after date of response. |
| 15.1.2   |  | Records documenting the provision of routine or pro forma advice and information to address the concerns of a trader, manufacturer or licensee with regard to implementing or complying with trade measurement regulations that are also commonly held by other traders or manufacturers.   | Temporary | Destroy 2 years after date of response. |