



Australian Government

National Archives of Australia

Records Authority

**Private Health Insurance
Administration Council –**
Private Health Insurance Prudential Regulation

Job no 2010/00384490

21 July 2010

TABLE OF CONTENTS:

INTRODUCTION	3
APPLICATION OF THIS AUTHORITY	3
CONTACT INFORMATION	4
AUTHORISATION	5
CORE BUSINESS	6
PRIVATE HEALTH INSURANCE PRUDENTIAL REGULATION	6

© Commonwealth of Australia 2010

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without prior written permission from the National Archives of Australia. Requests and inquiries concerning reproduction and rights should be directed to the Publications Manager, National Archives of Australia, PO Box 7425, Canberra Mail Centre ACT 2610, Australia.

INTRODUCTION

The Private Health Insurance Administration Council and the National Archives of Australia have developed this Records Authority to set out the requirements for keeping or destroying records for the core business area of Private Health Insurance Prudential Regulation. It represents a significant commitment on behalf of Private Health Insurance Administration Council to understand, create and manage the records of its activities.

This Authority is based on the identification and analysis of the business of the Private Health Insurance Administration Council. It takes into account the agency's legal and organisational records management requirements, and the interests of stakeholders, the agency and the National Archives of Australia.

This Authority gives the Private Health Insurance Administration Council permission under the Archives Act 1983, for the destruction, retention or transfer to the National Archives of Australia of the records described. The Authority sets out those records that need to be retained as national archives and the minimum length of time that temporary records need to be kept. Retention periods for these temporary records are based on: an assessment of business needs; broader organisational accountability requirements; and community expectations, and are approved by the National Archives of Australia on the basis of information provided by the agency.

The Private Health Insurance Administration Council may use the following tools to dispose of their records:

- this Records Authority covering its agency specific records;
- general records authorities, such as the Administrative Functions Disposal Authority (AFDA), covering business processes and records common to Australian Government agencies; and
- normal administrative practice (NAP) which allows for the destruction of records where the records are duplicated, unimportant or for short-term use only.

As changes in circumstances may affect future records management requirements, the periodic review of this Authority is recommended. All amendments must be approved by the National Archives.

APPLICATION OF THIS AUTHORITY

1. This Authority should be used in conjunction with the Administrative Functions Disposal Authority (AFDA) and/or AFDA Express issued by the National Archives to cover administrative records common to Australian Government agencies.
2. This Authority should be used in conjunction with general disposal authorities issued by the National Archives that cover other types of records that may be created by the Private Health Insurance Administration Council, such as encrypted records and source records that have been copied.
3. This Authority is to be used to sentence records. Sentencing involves the examination of records in order to identify the individual disposal class to which they belong. This process enables sentencers to determine how long records need to be kept. Advice on sentencing is available from the National Archives.
4. Where the method of recording information changes (for example from a manual system to an electronic system, or when information is migrated from one system to a new system) this Authority can still be used to sentence the records created, providing the records document the same core business. The information must be accessible for the period of time prescribed in this Authority. The Private Health Insurance Administration Council will need to ensure that any software, hardware or documentation required to enable continuing access to the information is available for the periods prescribed.
5. In general, retention requirements indicate a minimum period for retention. The Private Health Insurance Administration Council may extend minimum retention periods if it considers that there is an administrative need to do so, without further reference to the National Archives. Where the Private

Health Insurance Administration Council believes that its accountability will be substantially compromised because a retention period or periods are not adequate, it should contact the National Archives for review of the retention period.

6. The Normal Administrative Practice (NAP) provision of the Archives Act gives agencies permission to destroy certain records without formal authorisation. This usually occurs where records are duplicated, facilitative or for short-term use only. NAP does not replace arrangements agreed to in this Authority but can be used as a tool to assist in identifying records for destruction together with an agency's Record Authority or Authorities, and with AFDA and AFDA Express. The National Archives recommends that agencies develop and implement a Normal Administrative Practice policy to assist in planning and implementing activities to determine whether records should be kept or destroyed. Advice and guidance on destroying records as a normal administrative practice and on how to develop an agency NAP policy is available from the National Archives' website at www.naa.gov.au

7. From time to time the National Archives will place a freeze on some groups of records relating to a particular topic or event which has gained prominence or provokes controversy. While the freeze is in place no records relating to the topic or event may be destroyed. Further information about disposal freezes and whether they affect the application of this Authority is available from the National Archives website at www.naa.gov.au

8. Records in the care of agencies should be appropriately stored, managed and preserved. Agencies need to meet this obligation to ensure that the records remain authentic and accessible over time. Under Section 31 of the *Archives Act 1983*, access arrangements are required for records that become available to the public currently after thirty years, including those records that remain in agency custody after this time.

9. Appropriate arrangements should be made with the National Archives when records are to be transferred into custody. The National Archives accepts for transfer only those records designated as national archives.

10. Advice on how to use this Authority is available from the Private Health Insurance Administration Council records manager. If there are problems with the application of the Authority that cannot be resolved, please contact the National Archives.

CONTACT INFORMATION

For assistance with this authority or for advice on other recordkeeping matters, please contact National Archives' Agency Service Centre.

Queen Victoria Terrace
Parkes ACT 2600
PO Box 7425
Canberra Mail Centre ACT 2610

Tel: (02) 6212 3610
Fax: (02) 6212 3989
Email: recordkeeping@naa.gov.au
Website: www.naa.gov.au

AUTHORISATION

RECORDS AUTHORITY

Person to whom notice of authorisation is given:

Mr Shaun Gath
Chief Executive Officer
Private Health Insurance Administration Council
Level 2, 10-12 Brisbane Avenue
BARTON ACT 2600

Purpose:

AUTHORISES ARRANGEMENTS FOR THE DISPOSAL OF RECORDS IN ACCORDANCE WITH SECTION 24(2)(b) OF THE ARCHIVES ACT 1983

RkS Ref: 2010/1317

Application:

All core business records relating to Private Health Insurance Prudential Regulation

This authorisation gives permission for the destruction, retention or transfer to the National Archives of Australia of the records described. The authority will apply only if these actions take place with the consent of the agency responsible for the core business documented in the records.

Authorising Officer

Date of issue:



21 July 2010 .

Ross Gibbs
Director-General
National Archives of Australia

PRIVATE HEALTH INSURANCE PRUDENTIAL REGULATION

The activities associated with the oversight of the health insurance industry including:

- registration and deregistration of private health insurers;
- the capital adequacy and solvency of the insurers;
- collection of information from each insurer about the insurer's operations, including reports supported by actuarial certification;
- establish and enforce compliance with industry prudential standards including solvency and capital adequacy;
- provision of solvency directions and capital adequacy directions to private health insurers;
- exercising of compliance related powers and discretions and giving directions to private health insurers relating to compliance with the prudential standards including the appointment or disqualification of actuaries and governance arrangements of private health insurers;
- enforcement of compliance including the appointment of external managers, if required;
- provision of statistical and financial information to the public so that they may make informed choices about private health insurance; and
- cooperate with other regulatory agencies on matters affecting private health insurers and the private health insurance industry.


For the administration of the private health administration governing body use the GOVERNING BODIES records authority.

For the management of intellectual property use INFORMATION MANAGEMENT – Intellectual property.

For agency publications use PUBLICATION.

Class No	Description of records	Disposal action
21726 	Records documenting private health insurance prudential regulation activities that have enduring value to Australia including: <ul style="list-style-type: none"> • registration and deregistration of private health insurance funds including mutualisation action; • development of industry prudential standards and related regulatory framework including ministerial advice, submissions to relevant government departments and relevant regulatory bodies; • enforcement actions that establish precedents or lead to changes to legislation, policy and industry standards; and • records relating to commissions, reviews or investigations that are controversial or of public interest. eg fund reviews of insurer operations and actuarial reports. 	Retain as national archives
21727 	Records documenting routine activities associated with health insurance prudential regulation including: <ul style="list-style-type: none"> • maintenance of compliance with industry standards including fund reviews; enforcement action that does not establish precedents or lead to changes to legislation, policy and industry standards; • liaison with government departments and regulatory bodies; 	Destroy 10 years after action completed or enforcement case closed

PRIVATE HEALTH INSURANCE PRUDENTIAL REGULATION

Class No (cont)	Description of records	Disposal action
21728 	<ul style="list-style-type: none">• industry liaison and education;• information collection and analysis such as routine statistics and financial documentation; and• records documenting routine commissions, reviews or investigations.	Destroy 7 years after action completed or enforcement case closed