



**Australian Government**



**NATIONAL  
ARCHIVES  
OF AUSTRALIA**

**Records Authority**

2012/00329032

**Defence Force Remuneration  
Tribunal**

*Tribunal Case Management*

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2016



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## INTRODUCTION

The Defence Force Remuneration Tribunal 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 Tribunal Case Management. It represents a significant commitment on behalf of the Defence Force Remuneration Tribunal to understand, create and manage the records of its activities.

This records authority is based on the identification and analysis of the business of the Defence Force Remuneration Tribunal. It takes into account the agency's legal and organisational records management requirements, the interests of its stakeholders, the agency and the National Archives of Australia.

The records authority sets out those records that need to be retained as national archives and specifies the minimum length of time that temporary records need to be kept. This authority gives the Defence Force Remuneration Tribunal permission under the *Archives Act 1983*, for the destruction of the temporary records described after the minimum retention period has expired. 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.

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 records authority should be used in conjunction with the Tribunals Records Authority 2011/00681744 covering core businesses of Tribunal External Relations and Tribunal Management and Statutory Appointments.
2. This Authority is to be used to determine how long records must be kept. Records are matched to the relevant core business and records class in the records authority.
  - Where the minimum retention period has expired and the records are not needed for agency business they should be destroyed as authorised in this Authority.
  - Records that have not reached the minimum retention period must be kept until they do.
  - Records that are identified as Retain as National Archives (RNA) are to be transferred to the National Archives of Australia for preservation.
3. This records authority should be used in conjunction with general records authorities such as:
  - AFDA Express issued by the National Archives to cover business processes and records common to Australian Government agencies;
  - General Records Authority (31) For source (including original) records that have been copied, converted or migrated.
4. The Normal Administrative Practice (NAP) provision of the *Archives Act 1983* 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 records authority but can be used as a tool to assist in identifying records for destruction together with an agency's records authority or Authorities, and with AFDA and AFDA Express. The National Archives recommends that agencies develop and implement a Normal Administrative Practice policy. 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](http://www.naa.gov.au)
5. Records that are reasonably likely to be needed as evidence in a current or future judicial proceeding or are subject to a request for access under the *Archives Act 1983*, the *Freedom of Information Act 1982* or any other relevant Act must not be destroyed until the action has been completed.
6. Records subject to a disposal freeze must not be destroyed until the freeze has been lifted. Further information about disposal freezes and whether they affect the application of this records authority is available from the National Archives website at [www.naa.gov.au](http://www.naa.gov.au)
7. 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 applied, providing the records document the same core business. The information must be accessible for the period of time prescribed in this records authority. The Defence Force Remuneration Tribunal will need

to maintain continuing access to the information, including digital information, for the periods prescribed in this records authority or until the information is transferred into the custody of the National Archives.

8. In general, retention requirements indicate a minimum period for retention. The Defence Force Remuneration Tribunal 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 Defence Force Remuneration Tribunal 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.
9. Records coming within 'Retain as national archives' classes in this Authority have been determined to be part of the archival resources of the Commonwealth under section 3C of the *Archives Act 1983*. The determination of Commonwealth records as archival resources of the Commonwealth obliges agencies to transfer the records to the National Archives when they cease to be current and, in any event, within 15 years of the records coming into existence, under section 27 of the *Archives Act 1983*.
10. 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 for public access including those records that remain in agency custody.
11. 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.
12. Advice on how to use this records authority is available from the Defence Force Remuneration Tribunal records manager via [dfrt@dfrt.gov.au](mailto:dfrt@dfrt.gov.au) or the website [www.dfrt.gov.au](http://www.dfrt.gov.au). If there are problems with its application please contact the National Archives.

## CONTACT INFORMATION

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

Queen Victoria Terrace

Parkes ACT 2600

PO Box 7425

Canberra Business Centre ACT 2610

Tel: (02) 6212 3610

Fax: (02) 6212 3989

Email: [recordkeeping@naa.gov.au](mailto:recordkeeping@naa.gov.au)

Website: [www.naa.gov.au](http://www.naa.gov.au)

# AUTHORISATION

## RECORDS AUTHORITY 2012/00329032

**Person to whom notice of authorisation is given:**

The President  
Defence Force Remuneration Tribunal  
L1, 12 Moore Street  
Canberra ACT 2601

**Purpose:**

Authorises arrangements for the disposal of records in accordance with Section 24(2)(b) of the *Archives Act 1983*

Determines records classed as 'Retain as national archives' in this Records Authority to be part of the archival resources of the Commonwealth under section 3C of the *Archives Act 1983*.

**Application:**

All core business records relating to Tribunal Case Management.

This authority gives permission for the destruction, retention or transfer to the National Archives of Australia of the records described. This authority will apply only with the consent of the agency currently responsible for the business documented in the records described.

**Authorised by:**

Christine Johnston  
Assistant Director-General (A/g)  
National Archives of Australia

**Date of issue:**

27 January 2016

## TRIBUNAL CASE MANAGEMENT

The core business of conducting inquiries into and determining the salaries and relevant allowances of Defence Force members as prescribed under relevant legislation (currently section 58H of the *Defence Act 1903*). This includes the management and determination of matters and the conduct of hearings.

The tasks associated with this core business include:

- handling enquiries;
- developing and implementing policies, procedures and guidelines;
- receipt and initial assessment of submissions and evidence;
- monitoring progress of matters;
- research or investigation undertaken in relation to matters;
- arranging and conducting conferences (including pre-hearing conferences and inspections) and hearings;
- arranging legal transcription services;
- delegating powers and authorising actions;
- Tribunal direction to parties; and
- publication of decisions and determinations.

### Cross references to AFDA Express

*For committees relating to governance and strategic matters, use STRATEGIC MANAGEMENT.*

*For security breaches and general security arrangements, use PROPERTY MANAGEMENT.*

*For accounting and finance administration, use FINANCIAL MANAGEMENT.*

*For staffing arrangements, other than tribunal membership, use PERSONNEL.*

### Cross references to other records authorities

*For travel and visit arrangements, use Tribunals Records Authority 2011/00681744 – TRIBUNAL EXTERNAL RELATIONS.*

*For advice provided to the Australian Defence Force, Commonwealth and other interested parties, use Tribunals Records Authority 2011/00681744 – TRIBUNAL EXTERNAL RELATIONS.*

*For records relating to establishing and managing the administration of the tribunals, including the appointment and terms and conditions of statutory appointees, and the development of tribunal policies, procedures and guidelines, use Tribunal Records Authority 2011/00681744 – TRIBUNAL MANAGEMENT AND STATUTORY APPOINTMENTS.*

| <b>Class no</b> | <b>Description of records</b>  | <b>Disposal action</b>                    |
|-----------------|--|---|
| 61116           | <p>The following significant records:</p> <ul style="list-style-type: none"> <li>• The principal records of the major policies, guidelines and procedures relating to the operations of the Tribunal.</li> <li>• Records documenting cases, also known as matters, where a precedent is set, which are controversial, create intense media interest, result in major changes to policy, procedure or have far-reaching social, economic implications such as, enterprise wide workplace remuneration arrangements for the Australian Defence Forces. Includes party and/or individual submissions and evidence provided as written affidavits and oral statements given under oath or affirmation, decisions, determinations, statements, transcripts, research, legal advice, reports, briefs and presentations in written, electronic or audio form.</li> <li>• Master set/register of Tribunal decisions, determinations and statements.</li> </ul> | Retain as national archives               |
| 61119           | <p>Records documenting:</p> <ul style="list-style-type: none"> <li>• All cases, also known as matters, other than those covered in class 61116, includes party and/or individual submissions and evidence provided as written affidavits and oral statements given under oath or affirmation, decisions, determinations, statements, transcripts, research, legal advice, reports, briefs and presentations in written, electronic or</li> </ul>   | Destroy 100 years after action completed. |

## TRIBUNAL CASE MANAGEMENT

| Class no | Description of records  | Disposal action                         |
|----------|---|---|
|          | audio form. Includes: <ul style="list-style-type: none"> <li>• matters that are not controversial, do not create intense media interest, do not result in major changes to policy, procedure or do not have far-reaching social, economic, implications;</li> <li>• matters that do not require full hearings or inspections (ie can be managed through written submissions);</li> <li>• matters where no change in tier, structure or quantum of salary or allowance is sought, rather the case relates to changes to the name/title of employment categories, definitions, or application of terms within a determination; and</li> <li>• Determinations for individual members.</li> <li>• Delegations of Tribunal members to act individually in the absence of the President.</li> </ul> |   |
| 61120    | Records documenting: <ul style="list-style-type: none"> <li>• routine operational administrative tasks supporting the core business; and</li> <li>• tribunal case management activities, other than those covered in classes 61116 and 61119.</li> </ul>  | Destroy 7 years after action completed. |