

# Legislative Compliance Register

CORPORATE GOVERNANCE AND RISK

10 DECEMBER 2021

RKS R976712021

**OFFICIAL**

# Document control

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## Revision History

<b>Version</b>	<b>Date</b>	<b>Comments</b>
V.1	October 2021	Document creation
V.2	November 2021	Reviewed; Moved to Corporate Template
V.2.1	December 2021	Finalised draft

## 1. Purpose

Compliance is an outcome of conforming to a rule, which is driven from primary legislation or regulations. This document is designed to set out the key legislative requirements for the National Archives of Australia (National Archives) and demonstrate which of the National Archives' policies and procedures assist to ensure that the National Archives is complying with those obligations.

The design of this document is to be as interactive and informative as possible. For instance, hyperlinks have been inserted into this document and are designed to take the reader to the relevant compliance instruments and National Archives policies and/or procedures. Information has also been added which provides:

- when policies or procedures were last reviewed;
- when policies or procedures are due for their next review;
- who are the relevant owners of each policy and procedure;
- how significant each policy and procedure is for the National Archives; and
- whether there are any residual risks the National Archives should be aware of.

## 2. Risk Assessment

The risk assessment matrix used in this document is designed to measure and prioritise risks so that risk levels can be managed within the defined tolerance thresholds for the National Archives. A risk rating of **Low**, **Medium** or **High** has been provided for each key legislative requirement and has been colour-coded for ease of reference. In calculating each risk rating, the following were taken into consideration:

- overall compliance with the legislative instrument;
- any financial risks which need to be mitigated;
- the date of policies and procedures and how long ago they were reviewed; and
- whether there are any reputational risks which need to be mitigated for the National Archives, other Departments/Agencies or the wider Australian Government.

## 3. Review of the Legislative Compliance Register

This document will be reviewed on an annual basis in accordance with the National Archives' [Document Management & Control Framework](#) (R532312021). As part of the annual review process, the Corporate Governance and Risk Section will approach all policy owners to ensure their respective information is correct. The risk rating will be applied by the Corporate Governance and Risk Section and can provide additional assistance to policy owners in minimising their current risk rating.

Legislation / Compliance Instrument	Version – last amended	Description of Legislation / Obligation	Compliance Owner	Policy / Information	Date of Last Review/ Date of Next review	Significance for the National Archives	Treated Risk Rating
<a href="#">A New Tax System (Goods and Services Tax) Act 1999 (Cth)</a>	Compilation No. 86 1 Sep 2021	The GST is a broad-based indirect tax introduced by the Australian Government to replace the wholesale sales tax and a number of State indirect taxes. Broadly speaking, the GST is a tax on private consumption in Australia. The GST taxes the consumption of most goods, services and anything else in Australia, including things that are imported. Section 177-1 states that the Commonwealth (which relevantly includes the National Archives) is not liable to pay GST under this Act. However, s 177-1 (2) of this Act states that the Commonwealth may still have to notionally pay tax and the Finance Minister may give directions that are necessary or convenient for carrying out or giving effect to subsection (1).	Finance and Procurement	<a href="#">Finance Manual: FM008 - Corporate Credit Card Acquittal Procedure</a>	Version 1.01 – April 2021 / September 2022	Manual provides step by step guidance for acquitting credit cards in the National Archives' Financial Management Information System (FMIS). Guidance is provided to ensure compliance with legislative requirements.	Low
				<a href="#">Finance Manual: FM004 - Business Activity Statement Procedure</a>	Version 1.01 – April 2021 / September 2022	Manual provides step by step guidance for preparing the monthly BAS report in the National Archives' FMIS. Guidance is provided to ensure compliance with legislative requirements.	
				<a href="#">Finance Manual: FM002 - Accounts Receivable Processing Procedure</a>	Version 1.01 – April 2021 / September 2022	Manual provides step by step guidance for processing Accounts Receivable in the National Archives' FMIS. Guidance is provided to ensure compliance with legislative requirements.	
				<a href="#">Finance Manual: FM017 - Section 74 Receipt Procedure</a>	Version 1.01 – April 2021 / September 2022	Money receipted by National Archives must be recognised as a s 74 receipt and added to National Archives' Appropriation. Manual ensures correct steps are taken to recognise receipts. Failure to correctly recognise receipts may be a breach of s 83 of the Constitution.	
				<a href="#">Finance Manual: FM001 - Accounts Payable Processing Procedure</a>	Version 1.01 – April 2021 / September 2022	Manual provides step by step guidance for processing Accounts Payable in the National Archives' FMIS. Guidance is provided to ensure compliance with legislative requirements.	



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<a href="#">Acts Interpretation Act 1901 (Cth)</a>	Compilation No. 36 20 Dec 2018	The <i>Acts Interpretation Act</i> 1901 establishes rules for the interpretation of Commonwealth Acts and other legislation. Some terms used in the <i>Archives Act</i> 1983 (the Archives Act) are defined in the Acts Interpretation Act. The National Archives needs to have regard to and apply this Act when interpreting Commonwealth Acts and instruments made under Commonwealth Acts.	Corporate Governance and Risk	<a href="#">Legal Opinions Register</a>	This document is reviewed regularly, especially when new Legal opinion has been provided by AGS.	This document is historical and is not regularly updated. More recent opinions from AGS are saved into relevant files on RKS.	Low
<a href="#">Administrative Appeals Tribunal Act 1975 (Cth)</a>	Compilation No 48 1 Sep 2021	The Administrative Appeals Tribunal (AAT), conducts independent merits review of administrative decisions made under Commonwealth laws. The AAT reviews decisions made by Australian Government Ministers, Departments and Agencies and, in limited circumstances, decisions made by State Government and non-Government bodies. Decisions made by officers of the National Archives under Part V of the Archives Act, are reviewable by the AAT (see s 43, Archives Act). Freedom of Information (FOI) decisions made by officers of the National Archives are also reviewable by the AAT.	Corporate Governance and Risk	<a href="#">AAT and Federal Court Case Register - Archives Act</a>	1 April 2016 / This document is reviewed regularly, especially when new decisions have been handed down.	A list is kept of AAT and Federal Court matters involving the interpretation of the Archives Act. It is not intended to replace legal advice. Any AAT decision is not binding. Principles of law which are decided by the Federal Court are binding unless they are overruled by a higher court.	Low
			Declassification	<a href="#">Access Examination Manual 2014 (R644622017)</a>	November 2014 / November 2021	This document explains the Archives Act, along with how the <i>Freedom of Information Act</i> 1982 and the <i>Privacy Act</i> 1988 interact with it. It also provides guidance for decision-makers, provides common considerations which can affect or inform access decisions, and explains how exemption categories are to be applied.	
<a href="#">Administrative Decisions (Judicial) Review Act 1977 (Cth)</a>	Compilation No. 115 1 Sep 2021	The <i>Administrative Decisions (Judicial) Review Act</i> 1977 applies to decisions of an administrative character. It permits an aggrieved person to make an application for judicial review of an administrative decision on several grounds, which include if the decision has breached the rules of natural justice; the decision-maker did not observe the required procedures; the decision-maker did not have the appropriate delegation or jurisdiction; the decision was not authorised; the decision involved an error of law regardless of whether the error appeared on the record; the decision was affected by fraud; there was no evidence or other material to justify the decision; there was an improper exercise of power or the decision was contrary to law.	Corporate Governance and Risk	No policies exist		No policies exist; however, this Act allows an aggrieved person to seek a judicial review of an administrative decision in certain circumstances.	Low
			Corporate Governance and Risk	<a href="#">Delegations under the Archives Act</a>	26 July 2021	The Delegations under the Archives Act outline any Officer who is able to provide instructions on matters before the Tribunal or a Court of Law relating to decisions under that Act.	

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<a href="#">Age Discrimination Act 2004 (Cth)</a>	Compilation No 45 1 Sep 2021	The <i>Age Discrimination Act</i> 2004 prohibits direct and indirect discrimination on the basis of age, in the areas of work, education, access to premises, the provision of goods, services and facilities, accommodation, the disposal of land, the administration of Commonwealth laws and programs, and requests for information. Sections 18, 19 and 20 have effect in relation to discrimination against Commonwealth employees in connection with their employment as Commonwealth employees as well as in relation to persons seeking to become Commonwealth employees.	People and Culture	<a href="#">Enterprise Agreement 2017-2020</a>	23 June 2017 / 24 June 2022	This is a management tool and provides all members of staff with the National Archives' formal agreement about the relationship between National Archives as the employer and any employee who is covered by this agreement. The <i>Fair Work Act</i> 2009 sets out the requirements for bargaining a proposed enterprise agreement and matters which must be permitted to be included. Before any new enterprise agreement can be commenced operation, it must be agreed to by the Fair Work Commission.	Medium
				<a href="#">Workplace Diversity Program 2017-20</a>	16 November 2017 / No review date has been provided.	Diversity is reflected within several statutes. It is also reflected in the <i>Public Service Commissioner's Directions</i> 2016 and the <i>Guidelines on Workplace Diversity</i> (2001). These documents require Agency Heads to adhere to a series of measures to ensure workplace diversity which include: <ul style="list-style-type: none"> <li>Ensuring diversity of APS employees is recognised, fostered and made best use of within the workplace, taking into account the organisational and business goals of the Agency, and the skills required to perform the relevant duties;</li> <li>Ensuring APS employees are helped to balance their work, family and other caring responsibilities effectively;</li> <li>Developing performance indicators for their workplace diversity program so that they can evaluate the effectiveness and outcomes of the program; and</li> <li>Reviewing their workplace diversity program at least once every four years to ensure that the program continues to give effect to the APS Values and achieves its outcomes.</li> </ul>	



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				<a href="#">Workplace Harassment and Bullying Policy</a>	June 2018 / June 2021	Workplace harassment and bullying contravenes the APS Values, Employment Principles, Code of Conduct, the <i>Work Health and Safety Act 2012</i> as well as Commonwealth anti-discrimination legislation. Workplace bullying is a risk to health and safety because it may affect the mental and physical health of workers. Failure to take steps to manage the risk of workplace bullying can result in a breach of Work Health and Safety (WHS) laws. Part 6-4B of the <i>Fair Work Act 2009</i> allows a worker who has been bullied to apply to the Fair Work Commission for a stop bullying order to be made against another worker/s, in certain circumstances.	
<a href="#">Archives Act 1983</a>	Compilation No. 44 1 Sep 2021	<p>The <i>Archives Act</i> 1983 establishes the functions of the National Archives and sets out:</p> <ul style="list-style-type: none"> <li>• general rights of access to archival records held by the National Archives;</li> <li>• how the National Archives oversees Commonwealth record-keeping, by determining standards and providing advice to Commonwealth institutions;</li> <li>• record-keeping obligations in respect of Commonwealth records; and</li> <li>• how to identify the archival resources of the Commonwealth and authorises the disposal (transfer or destruction) of Commonwealth records.</li> </ul>	Corporate Governance and Risk	<a href="#">Delegations under the Archives Act</a>	26 July 2021	The Archives Act sets obligations for the management of information assets for Australian Government agencies. It enables the National Archives determine standards and provide advice as part of its oversight of Australian Government information management.	Medium
			Government Information Policy	<a href="#">AAT and Federal Court Case Register - Archives Act</a>	1 April 2016 / This document is reviewed regularly, especially when new decisions have been handed down.	A list is kept of AAT and Federal Court matters involving the interpretation of the Archives Act. It is not intended to replace legal advice. Any AAT decision is not binding. Principles of law which are decided by the Federal Court, are binding unless they are overruled by a higher court.	
			Government Records Assurance	<a href="#">Information Management link on National Archives website</a>	1 January 2021/ No review date has been provided.	The purpose of the <i>Building Trust in the Public Record</i> policy is to improve how Australian Government agencies create, collect, manage and are able to use information assets. Effective information management facilitates delivery on government objectives to better support, protect and serve the Australian community – now and in the future. Well-managed information also increases community trust in the public record of government.	

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		The National Archives is obliged to make decisions on requests for public access to Commonwealth records in the open access period under Part V of the Act. The National Archives is also obliged to handle Commonwealth records (including records relating to the administration of the Archives) consistently with this Act.		<a href="#">Building trust in the public record: managing information and data for government and community   naa.gov.au</a>	1 January 2021 / No review date has been provided.	This policy identified key requirements and actions for Australian Government agencies to build information management capability, and address areas of lower performance. Meeting these requirements will ensure the information assets of the Australian Government are created, kept, and maintained effectively and efficiently. This will enable the long-term and sustainable use and re-use of government information.	
			Declassification	<a href="#">Public-Policy Release Schedule 2</a>	1 July 2021 / 30 June 2022	The Policy – <i>Public Release Schedule</i> was required to be published as per policy commitment.	
				<a href="#">Records authorities   naa.gov.au</a>	/No review date has been provided.	A records authority is a legal instrument which allows agencies to make decisions about keeping, destroying or transferring Australian Government records. Records authorities are used to determine how long to keep records and provide permission for the destructions of records once this time has passed.	
				<a href="#">Access Examination Policy - personal, business and professional affairs of a person (R68222016)</a>	14 July 2014 / No review date has been provided.	This policy represents the culmination of several years of research, consultation, revision and trial in changing the way access examiners deal with the release of information about individuals in accordance with the provisions of the Archives Act.	
				<a href="#">Section 35 Arrangement between DFAT and the National Archives</a>	4 February 2021 / No review date has been provided.	Section 35 of the Archives Act requires the Director-General (DG), in consultation with the responsible Minister or a person authorised by the responsible Minister, to make arrangements for determining the extent to which partial access may be given to exempt records, without disclosing the information or matter by reason of which the records are exempt records.	
				<a href="#">Signed Section 35 Arrangement – Official Secretary to the Governor-General (R709742020)</a>	18 May 2009 / No review date has been provided.		



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				<a href="#">ASIO Guidelines (R552492020)</a>	/No review date has been provided.		
				<a href="#">Releasable ASIO Officer's Names and Signatures 9 November 2012 (R1223392012)</a>	9 November 2012 / No review date has been provided.	This document was created by ASIO.	
				<a href="#">Guidelines Supporting Section 35 Arrangement with ASIO - Attachment A (R1023322014)</a>	January 2011 / No review date has been provided.	This document was created by ASIO. This document sets out the agreed procedures which have been developed between ASIO and the National Archives for: <ul style="list-style-type: none"> <li>handling applications for access to open period records;</li> <li>handling appeals against denial of access and other forms of complaints; and</li> <li>outlining other forms of access to ASIO records under the Archives Act.</li> </ul>	
				Defence Guidelines (RKS CDR000992016)	27 January 2016 / No review date has been provided.	This document was created by Defence.	
				DFAT Access Examination Guidelines for Access Examiners (RKS CDR000692016)	11 January 2016/ November 2021.	This document was created by DFAT.	
				ASIS Guidelines (RKS SR15962012)			
<a href="#">Appropriation Act (no. 3) 2020 - 2021</a>	Act No 37 of 2021  Date of Assent 27 May 2021	The <i>Appropriation Act</i> appropriates additional money out of the Consolidated Revenue Fund for ordinary annual services of the Government, and for related purposes.	Finance and Procurement	<a href="#">Appropriation Drawdown Procedure (R303232021)</a>	Version 1.0 – April 2021 / 1 September 2022	This procedure provides step-by-step guidance for processing Appropriation drawdowns in the Department of Finance's Central Budget Management System. Guidance is provided to ensure compliance with legislative requirements.	Low

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<a href="#">Auditor General Act 1997 (Cth)</a>	Compilation No. 17 21 Feb 2018	<p>The Auditor-General is an independent officer of the Australian Parliament whose mandate is set out in the <i>Auditor-General Act 1997</i>. Under the Act, the Auditor-General delivers:</p> <ul style="list-style-type: none"> <li>• Annual financial statement audits of Australian Government entities;</li> <li>• Audits of annual performance statements of Australian Government entities;</li> <li>• Performance audits of Australian Government programs and entities;</li> <li>• Assurance reviews of Australian Government entities; and</li> <li>• Reports to the Parliament and Ministers on any matter.</li> </ul> <p>The audit and review powers of the Auditor-General are exercisable in relation to the National Archives as a Commonwealth entity (see ss 17, 19A and 44). The Auditor-General also has powers to obtain information from the National Archives and enter its premises (see ss 33 and 34).</p>	Corporate Governance and Risk	<a href="#">Audit and Risk Committee (ARC)</a>	February 2021 / February 2023	Audit and Risk Committees play an important role in supporting the governance of non-corporate Commonwealth entities. They also provide independent advice to Accountable Authorities, and assist them to meet their duties and obligations.	Low
				<a href="#">Portfolio Budget Statement - National Archives of Australia</a>	April 2021 / April 2022	The Portfolio Budget Statements inform Members of Parliament and the public of the proposed allocations of resources to government outcomes. They also assist the Senate Standing Committees with their examination of the Government's Budget.	
			Finance and Procurement	All financial statements prepared as required		All financial statements audited by the Auditor-General	



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<a href="#">Australian Human Rights Commission Act 1986 (Cth)</a>	Compilation No 50 4 Sep 2021	The Australian Human Rights Commission (AHRC) has the power to investigate complaints conferred on it by the Commonwealth discrimination laws or any other enactment. The AHRC may enquire into and conciliate any complaints of discrimination. The National Archives is bound to cooperate with any investigations or inquiries carried out by the AHRC, and provide access to any evidence that may be relevant to that enquiry.	People and Culture	<a href="#">Workplace Diversity Program 2017-20</a>	16 November 2017 / No review date has been provided.	Diversity is reflected within several statutes. It is also reflected in the <i>Public Service Commissioner's Directions</i> 2016 and the <i>Guidelines on Workplace Diversity</i> (2001). These documents require Agency Heads to adhere to a series of measures to ensure workplace diversity including: <ul style="list-style-type: none"> <li>Ensuring diversity of APS employees is recognised, fostered and made best use of within the workplace, taking into account the organisational and business goals of the Agency, and the skills required to perform the relevant duties;</li> <li>Ensuring APS employees are helped to balance their work, family and other caring responsibilities effectively;</li> <li>Developing performance indicators for their workplace diversity program so that they can evaluate the effectiveness and outcomes of the program; and</li> <li>Reviewing their workplace diversity program at least once every four years to ensure that the program continues to give effect to the APS Values and achieves its outcomes.</li> </ul>	Medium
				<a href="#">Workplace Harassment and Bullying Policy</a>	June 2018 / June 2021	Workplace harassment and bullying contravenes the APS Values, Employment Principles, Code of Conduct, the <i>Work Health and Safety Act</i> 2012 as well as Commonwealth anti-discrimination legislation. Workplace bullying is a risk to health and safety because it may affect the mental and physical health of workers. Failure to take steps to manage the risk of workplace bullying can result in a breach of Work Health and Safety (WHS) laws. Part 6-4B of the <i>Fair Work Act</i> 2009 allows a worker who has been bullied to apply to the Fair Work Commission for a stop bullying order to be made against another worker/s, in certain circumstances	
			Corporate Governance and Risk			Will only be involved if a legal action has been commenced.	

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<a href="#">Commonwealth Child Safe Framework</a>	Must have been implemented by 1 Feb 2020	<p>The Australian Government, through the Secretaries Board, introduced the <i>Commonwealth Child Safe Framework</i> (the Framework) which is a whole-of-government policy that sets minimum standards for creating and embedding a child safe culture and practice in Commonwealth entities. The Framework required entities to ensure they are applying the National Principles for Child Safe Organisations, which outline ten elements which are fundamental to making an organisation safe for children and young people.</p> <p>Under the Framework, Commonwealth entities must:</p> <ul style="list-style-type: none"> <li>undertake risk assessments annually in relation to activities of each entity, to identify the level of responsibility for, and contact with, children and young people, evaluate the risk of harm or abuse, and put in place appropriate strategies to manage identified risks;</li> <li>establish and maintain a system of training and compliance to make their staff aware of, and comply with, the Framework and relevant legislation including Working with Children Checks and mandatory reporting requirements; and</li> <li>adopt and implement the national Principles for Child Safe Organisations.</li> </ul>	Learning and Visitor Experience, Public Programs	<p>These documents are from the National Office for Child Safety:</p> <p><a href="#">Commonwealth Child Safe Framework (Second Edition) policy document</a></p> <p><a href="#">Implementation Self-Assessment Checklist</a></p>	14 December 2020 / No review date has been provided.	<p>Please note the National Archives does not have any policies or procedures concerning this framework.</p> <p>Under this Framework, the National Archives must:</p> <ul style="list-style-type: none"> <li>undertake risk assessments annually in relation to activities and identify the level of responsibility for and contact with children, evaluate risks regarding child safety and put in place appropriate strategies to managed identified risks;</li> <li>establish and maintain a system of training and compliance to make staff aware of, and comply with, the Framework and relevant legislation including Working with Children Checks / Working with Vulnerable People Checks and mandatory reporting requirements;</li> <li>adopt and implement the national Principles for Child Safe Organisations; and</li> <li>publish an annual statement of compliance with the Framework including an overview of the National Archives' child safety risk assessment (conducted under Requirement 1).</li> </ul> <p>The reporting body is the National Office for Child Safety.</p>	Medium
<a href="#">Copyright Act 1968 (Cth)</a>	Compilation No 60 1 Oct 2021	The <i>Copyright Act 1968</i> (Copyright Act) defines the scope of copyright in Australia. Designs may be covered by the Copyright Act (as sculptures or drawings) as well as by the Design Act. Since 2007, performers have been afforded moral rights in recordings of their work. The National Archives is entitled to rely on the Crown Copyright provisions in Part VII of the Copyright Act. The Archives Act requires that the Copyright Act be considered in various circumstances (see ss 24, 36 and 64 Archives Act).	Communications, Marketing, Partnerships and Events	<a href="#">Intellectual Property Management Policy</a>	August 2008 / No review date has been provided.	The National Archives is a non-corporate Commonwealth entity under the <i>Public Governance, Performance and Accountability Act 2013</i> and other legislation which seeks to ensure there is efficient, effective and ethical use of Commonwealth resources. Intellectual Property is a valuable asset which provides the National Archives with value for money. By identifying, recording and monitoring the use of IP assets, the National Archives can protect the IP which it creates on behalf of the Commonwealth, avoid significant costs with associated with the infringing on the IP rights of others and prevent delays in project delivery times. The purpose of this policy is to:	Medium



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						<ul style="list-style-type: none"> <li>identify, manage and protect the National Archives' IP assets;</li> <li>implement appropriate mechanisms to avoid infringement of other parties' IP rights;</li> <li>raise awareness of the importance of IP throughout the National Archives; and</li> <li>respect the IP rights of other parties.</li> </ul>	
			Corporate Governance and Risk			Will only be involved if a legal action has been commenced.	
<a href="#">Commonwealth Vehicles (Registration and Exemption from Taxation) Act 1997</a>	Compilation No 146 16 Feb 2000	The <i>Commonwealth Vehicles (Registration and Exemption from Taxation) Act 1997</i> provide for the registration of, and to exempt from taxation certain transaction relating to, vehicles owned by, or leased to, the Commonwealth or Commonwealth authorities, and for related purposes.	Property and Security			All vehicles are leased and registered through a third-party provider.	
<a href="#">Commonwealth Volunteers Protection Act 2003</a>	3 May 2011	Protects people who perform voluntary work for the Commonwealth or a Commonwealth Authority from civil liability for acts or omissions by such volunteers, done in good faith when performing work for the Commonwealth.	Access and Public Engagement	<a href="#">National Volunteer Policy Framework</a>	22 May 2020/ 2023	The purpose of this policy is to provide advice to staff to ensure volunteering at the National Archives is managed in accordance with consistent principles and procedures, ensuring a position experience and outcome for volunteers, visitors and the National Archives.	Low
<a href="#">Crimes Act 1914 (Cth)</a>	Compilation No 139 4 Sep 2021	The <i>Crimes Act 1914</i> is of general application and may apply to the National Archives and its employees in certain circumstances. The Act creates offences that are, broadly, offences against the Commonwealth. It is unlikely to impact significantly on regular National Archives activities.	Corporate Governance and Risk	<a href="#">Conflict of Interest Policy</a>	April 2009 / No review date has been provided.	Several aspects of the APS Values and Code of Conduct contained in the <i>Public Service Act 1999</i> are relevant to the management of conflicts of interests. The purpose of this policy is to provide National Archives' managers and employees with guidance and advice on the management of conflict of interest, including in connection with outside employment.	Low
			Cyber Security	<a href="#">National Archives of Australia Computer Use Policy</a>	2 September 2021 / 2 September 2022	All staff and other authorised users who have access to National Archives' computers, systems and networks have responsibilities to ensure business information systems are properly managed and protected. All users are accountable for their actions in line with National Archives' security policies, practices, and procedures. Any breaches are subject to the Code of Conduct and may face prosecution under the <i>Crimes Act 1914</i> .	
				<a href="#">National Archives of Australia Computer Use Guidelines</a>	March 2021/ March 2022	These guidelines support the National Archive's Computer Use Policy, and provides instructions to ensure uses on how to protect computer hardware, software and data from misuse, theft, unauthorised access, and environmental hazards.	

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				<a href="#">ICT Remote Access Policy</a>	Version 1.2 – 31 March 2021 / March 2022	This policy sets direction and defines staff members responsibilities when using or supporting the National Archives' Remote Access Service (RAS). RAS-ICT Remote Access is the mechanism which allows a computer device to access the internal corporate National Archives network and its hosted applications from the internet, whilst maintaining security and protecting the data and assets of the National Archives. The computer device and the network it uses are not required to be under the National Archives' direct control.	
				<a href="#">Portable Electronic Devices Policy</a>	Version 2 – October 2021 / September 2022	<p>The key objectives of the Portable Electronic Devices (PED) Policy is to:</p> <ul style="list-style-type: none"> <li>• provide clear instructions with respect to acceptable usage; and</li> <li>• comply with relevant Commonwealth guidelines relating to the allocation and use of such devices.</li> </ul> <p>A PED and PED services include but are not limited to:</p> <ul style="list-style-type: none"> <li>• a mobile telephone handset, including a carrier service;</li> <li>• a laptop/tablet computer (SOE laptop and CAFÉ Laptop); and</li> <li>• other handheld devices as defined by the Data and Digital Branch over time.</li> </ul>	
			Cyber Security	<a href="#">Security Incident Reporting and Investigation Procedures</a>	28 June 2018 / June 2020	This procedure set out the arrangements in which the National Archives approaches the reporting and, where appropriate, the investigation of security incidences across the Archives.	
				<a href="#">Protective Security Management Plan 2020</a>	18 September 2020 / September 2022	This plan sets out the arrangement through which the National Archives engages with risk, as part of managing protective security to meet its obligations and objectives described in the Protective Security Policy.	
				<a href="#">Protective Security Policy 2020</a>	23 September 2020 / May 2022	This policy outlines the National Archives' attitudes, behaviours and values for the safeguarding of official resources entrusted to the Archives, its people and visitors. The Archives' protective security policies, plans and procedures support the mission, vision and commitments of <i>The Archives Way</i> .	



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<a href="#">Criminal Code Act 1995 (Cth)</a>	Compilation No 139 1 Sep 2021	The <i>Criminal Code Act</i> 1995 contains the Commonwealth Criminal Code and is legislation of general application and may apply to the National Archives and its employees in certain circumstances. The Code makes it an offence to engage in dishonesty offences like theft and fraud where the Commonwealth is the victim of crime. Other offences include causing harm to, obstruction of and impersonating public officials. Importantly, s122.4 of the Code creates an offence for the unauthorised disclosure of information by current and former Commonwealth officers (where the person is under a duty not to disclose the information). It replaces former s70 of the Crimes Act.	People and Culture	<a href="#">Determining Breaches of the Code of Conduct</a>	29 November 2013 / No review date has been provided.	The Code of Conduct procedures apply in determining whether a person who is an APS employee at that National Archives, or who was a former APS employee at the time of the suspected misconduct, has breached the APS Code of Conduct pursuant to section 13 of the <i>Public Service Act</i> 1999.	Medium
			Corporate Governance and Risk	<a href="#">Fraud and Corruption Control Framework</a>	3 November 2020 / No review date has been provided.	The Fraud and Corruption Control Policy outlines the National Archives' framework to address any risk or fraud which may occur at the National Archives.	
<a href="#">Disability Discrimination Act 1992 (Cth)</a>	Compilation No 33 12 Apr 2018	<p>The <i>Disability Discrimination Act</i> 1992 (the DDA) makes it unlawful to discriminate against a person, in many areas of public life, including:</p> <ul style="list-style-type: none"> <li>• employment;</li> <li>• education;</li> <li>• getting or using services;</li> <li>• renting or buying a house or unit; and</li> <li>• accessing public places, because of their disability.</li> </ul>	People and Culture	<a href="#">Enterprise Agreement 2017-2020</a>  <a href="#">Section 24(1) Determination</a>	23 June 2017 / 24 June 2022	<p>This is a management tool and provides all members of staff with the National Archives' formal agreement about the relationship between each employer and any employee who is covered by the agreement. The <i>Fair Work Act</i> 2009 sets out the requirements for bargaining a proposed enterprise agreement and matters which must be permitted to be included. Before any new enterprise agreement can be commence operation, it must be agreed to by the Fair Work Commission.</p> <p>Section 24(1) of the <i>Public Service Act</i> 1999 gives Agency Heads the authority to vary the terms and conditions of employment for agency employees. The Director-General in the attached Section 24(1) Determination has extended the National Archive's current</p>	Medium

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		The DDA covers people who have temporary and permanent disabilities; physical, intellectual, sensory, neurological, learning and psychosocial disabilities, diseases or illnesses, physical disfigurement, medical conditions, and work-related injuries. It extends to disabilities that people have had in the past and potential future disabilities, as well as disabilities that people are assumed to have.		<a href="#">Workplace Diversity Program 2017-20</a>	16 November 2017 / No review date has been provided.	Diversity is reflected within several statutes. It is also reflected in the <i>Public Service Commissioner's Directions 2016</i> and the <i>Guidelines on Workplace Diversity (2001)</i> . These documents require Agency Heads to adhere to a series of measures to ensure workplace diversity which include: <ul style="list-style-type: none"> <li>ensuring diversity of APS employees is recognised, fostered and made best use of within the workplace, taking into account the organisational and business goals of the Agency and the skills required to perform the relevant duties;</li> <li>ensuring APS employees are helped to balance their work, family and other caring responsibilities effectively;</li> <li>developing performance indicators for their Workplace Diversity Program so that they can evaluate the effectiveness and outcomes of the program; and</li> <li>reviewing their Workplace Diversity Program at least once every four years to ensure that the program continues to give effect to the APS Values and achieves its outcomes.</li> </ul>	
				<a href="#">Workplace Harassment and Bullying Policy</a>	June 2018	Workplace harassment and bullying contravenes the APS Values, Employment Principles, Code of Conduct, the <i>Work Health and Safety Act 2012</i> as well as Commonwealth anti-discrimination legislation. Workplace bullying is a risk to health and safety because it may affect the mental and physical health of workers. Failure to take steps to manage the risk of workplace bullying can result in a breach of Work Health and Safety (WHS) laws. Part 6-4B of the <i>Fair Work Act 2009</i> allows a worker who has been bullied to apply to the Fair Work Commission for a stop bullying order to be made against another worker/s, in certain circumstances.	
			Corporate Governance and Risk			Will only be involved if a legal action has been commenced.	



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<a href="#">Fair Work Act 2009</a>	Compilation No 45 11 Sep 2021	The <i>Fair Work Act</i> 2009 is one of the primary pieces of legislation which governs the employment relationship and workplace relations in Australian workplaces. This legislation provides protections of certain rights, including: <ul style="list-style-type: none"> <li>• Workplace rights;</li> <li>• The right to engage in industrial activities; and</li> <li>• The right to be free from unlawful discrimination</li> </ul>	People and Culture	<a href="#">Enterprise Agreement 2017-2020</a>  <a href="#">Section 24(1) Determination</a>	23 June 2017 / 24 June 2022	<p>This is a management tool and provides all members of staff with the National Archives formal agreement about the relationship between each employer and any employee who is covered by the agreement. The <i>Fair Work Act</i> 2009 sets out the requirements for bargaining a proposed enterprise agreement and matters which must be permitted to be included. Before any new enterprise agreement can be commence operation, it must be agreed to by the Fair Work Commission.</p> <p>Section 24(1) of the <i>Public Service Act</i> 1999 gives Agency Heads the authority to vary the terms and conditions of employment for agency employees. The Director-General in the attached Section 24(1) Determination has extended the National Archive's current</p>	Medium
				<a href="#">Workplace Harassment and Bullying Policy</a>	June 2018 / No review date has been provided.	Workplace harassment and bullying contravenes the APS Values, Employment Principles, Code of Conduct, the <i>Work Health and Safety Act</i> 2012, as well as Commonwealth anti-discrimination legislation. Workplace bullying is a risk to health and safety because it may affect the mental and physical health of workers. Failure to take steps to manage the risk of workplace bullying can result in a breach of Work Health and Safety (WHS) laws. Part 6-4B of the <i>Fair Work Act</i> 2009 allows a worker who has been bullied to apply to the Fair Work Commission for a stop bullying order to be made against another worker/s, in certain circumstances.	
				<a href="#">Protocol for Union and Workplace Delegates' Activity</a>	July 2012 / No review date has been provided.	This document sets out the rights and responsibilities of official union representatives and endorsed union workplace delegates at the National Archives with regards to their representative activities which also includes the right of entry.	
				<a href="#">Probation Policy</a>	November 2019 / November 2022	<p>This policy provides advice on the probation process in the National Archives. During probation, the National Archives assesses whether an employee is suited to their role, National Archives and the APS.</p> <p>Please note employees who have had their employment termination prior to 6 months will have no legal recourse with regards to legal remedies under the <i>Fair Work Act</i> 2009.</p>	

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				<a href="#">Review of Employment Action Policy</a>	June 2011 / No review date has been provided.	<p>The APS Values at subsection 10(1)(o) of the <i>Public Service Act 1999</i> (PS Act) require "<i>the APS provides a fair system of review of decisions taken in respect of APS employees.</i>" The purpose of this policy is to establish the principles and procedures for an effective and fair process for the review of employment actions.</p> <p>This policy is applicable to people engaged by the National Archives as ongoing or non-ongoing employees under s 22 of the PS Act and those who are covered and bound by the provisions of the National Archives' Enterprise Agreement, as varied from time to time.</p>	
				Recruitment guidelines			



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<a href="#">Federal Court of Australia Act 1976 (Cth)</a>	Compilation No 55 1 Sep 2021	The Federal Court's jurisdiction is broad, covering almost all civil matters arising under Australian federal law and some summary and indictable criminal matters. The Court also hears appeals on questions of law from the AAT. Review of administrative decisions made by officers of the National Archives may be undertaken by the Court following an application for common law judicial review or an application for review under the <i>Administrative Decisions (Judicial Review) Act 1977</i> .	Corporate Governance and Risk	<a href="#">AAT and Federal Court Case Register - Archives Act</a>	1 April 2016 / This document is reviewed regularly, especially when new decisions have been handed down.	A list is kept of AAT and Federal Court matters involving the interpretation of the Archives Act. It is not intended to replace legal advice. Any AAT decision is not binding. Principles of law which are decided by the Federal Court are binding unless they are overruled by a higher court.	Low
<a href="#">Freedom of Information Act 1982</a>	Compilation No 102 1 Sep 2021	The <i>Freedom of Information Act 1982</i> (FOI Act) sets out the general rights of access to information held by Commonwealth agencies in documentary form. The National Archives is an agency subject to the FOI Act. Under the FOI Act, the public has a legal right (subject to some exceptions) to access Commonwealth documents and obtain copies of those documents. Section 13 of the FOI Act details how this legislation applies to the National Archives and interacts with the Archives Act. Specifically, members of the public can only access documents from the National Archives under the FOI Act relating to the administration of the National Archives (in the closed period). Individuals can also seek access to their own personal information under the FOI Act, regardless of the age of the information (meaning such records can be sought when in the open period). All other requests for access to documents are dealt with either by the originating agency or by way of access requests to open period records under Part V of the Archives Act.	Corporate Governance and Risk	<a href="#">Access to Information Under the Freedom of Information Act</a>	March 2019 / No review date has been provided.	Information is a valuable and powerful resource which is at the heart of every government decision and activity. Freedom of Information means the right of the public to access information Australian Government ministers and agencies hold. This right is promoted and enforced in the FOI Act.  The FOI Act promotes government accountability and transparency by providing a legal framework for individuals to request access to government documents. This includes documents containing personal or other information, such as information concerning policy-making, administrative decision-making, and government service delivery. Individuals can also request that Ministers and Agencies amend or annotate any personal information held about them.  The FOI Act provides strict timeframes which must be adhered to.	Low

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<a href="#">Fringe Benefits Tax Act 1986 (Cth)</a>	Compilation No 9 19 Jun 2018	Fringe Benefits Tax (FBT) is paid by employers on certain benefits they provide to their employees – including their employees' family or other associates. The benefit may be in addition to, or part of, their salary or wages package. FBT is separate to income tax, and is calculated on the taxable value of the fringe benefits provided.	Finance and Procurement	<a href="#">Accountable Authority Instructions</a>	January 2019 / No review date has been provided.	Accountable Authority Instructions (AAIs) are written instruments that may be issued by the accountable authority to instruct officials on matters relating to finance law. AAIs assist the accountable authorities in meeting their general duties under the <i>Public Governance, Performance and Accountability Act 2013</i> and establish appropriate internal controls for their entity.	Low
<a href="#">Fringe Benefits Tax Assessment Act 1986 (Cth)</a>	Compilation No 86 1 Jul 2021	This Act identifies how FBT assessments are to be determined. Much of this will relate to Salary Sacrificing agreements in the National Archives' operations.	Finance and Procurement  People and Culture	<a href="#">Enterprise Agreement 2017-2020</a>  <a href="#">Section 24(1) Determination</a>	23 June 2017 / 24 June 2022	Finance and Procurement  Section 24(1) of the <i>Public Service Act 1999</i> gives Agency Heads the authority to vary the terms and conditions of employment for agency employees. The Director-General in the attached Section 24(1) Determination has extended the National Archive's current	Low
				<a href="#">Salary packaging</a>	1 October 2011 / No review date has been provided.	Referenced on the National Archives' Infonet, but is dealt with by a third-party provider.	
			Finance and Procurement	<a href="#">CBA Salary Packaging Account Reconciliation (R303252021)</a>	Version 1.01 – 3 April 2021 / 1 September 2022 Please note this document is in draft form.	This is a step-by-step procedure of what needs to occur each month for salary packaging.	



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<a href="#">Income Tax Assessment Act 1936 (Cth)</a>	Compilation No 9 5 May 2016	Part VA of this Act imposes obligations on the National Archives in relation to the handling of tax file numbers.	People and Culture	<a href="#">National Archives' Privacy Policy</a>	1 March 2021 / No review date has been provided.	The National Archives will only collect personal information when it is reasonably necessary for, or directly related to National Archives' business. Any personal information which is collected must be in accordance with the 13 Australian Privacy Principles (APPs) as specified in the <i>Privacy Act</i> 1988.  This policy outlines the National Archives' obligations for managing personal information. It addresses the types of information National Archives collects, uses and discloses, which also includes sensitive information and tax file number information. It also provides information for the public in how they can access and correct their personal information, and how any privacy complaints can be made.	Low
			Finance and Procurement	No policies exist		The National Archives obligation is to withhold tax from suppliers who aren't registered for PAYG or GST.	
<a href="#">Lands Acquisition Act 1989 (Cth)</a>	Compilation No 19 1 Jul 2016	The <i>Lands Acquisition Act</i> 1989 provides specific powers to the Commonwealth Government to acquire interests in land.	Property and Security			The National Archives does not generally own or buy land. Under the <i>Lands Acquisition Delegation 2020 (No. 2)</i> , issued by the Minister for Finance, the Director-General and the Assistant Director-General, Corporate Services hold delegations relating to the acquisition and disposal of interests in land (ss 40, 119 and 123 of the Act).	Low
<a href="#">Legal Services Directions 2017</a>	Compilation No 1 1 Jul 2018	The <i>Legal Services Directions</i> 2017 are a set of binding rules issued by the Attorney-General about the performance of Commonwealth legal work. The National Archives is obliged to comply with the requirements set out in the Directions, including in relation to the reporting of significant legal matters, the reporting of its compliance with the terms of the Directions, and its annual legal services expenditure figures.	Corporate Governance and Risk	<a href="#">OLSC</a>	1 July 2018  Please note these Directions are issued by the Attorney-General.	These are a set of binding rules issued by the Attorney-General about the performance of Commonwealth legal work. The directions set out the requirements for sound practice in the provision of legal services to the Australian Government. They also offer tools to manage legal, financial and reputational risks to the Australian Government's interests.  The National Archives has an obligation under the directions to provide reports concerning significant legal matters and is also obliged to procure external legal services in accordance with the directions.	Low

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<a href="#">Long Service Leave (Commonwealth Employees) Act 1976 (Cth) (LSL Act)</a>	Compilation No 20 30 Mar 2018	The <i>Long Service Leave (Commonwealth Employees) Act 1976</i> sets out detailed provisions on the period of service required for an employee to be eligible for long service leave, and the salary payable to an employee on long service leave. The Act also provides for extended leave or pay in lieu of leave.	People and Culture	<a href="#">Enterprise Agreement 2017-2020</a>  <a href="#">Section 24(1) Determination</a>	23 June 2017 / 24 June 2022	This is a management tool and provides all members of staff with the National Archives' formal agreement about the relationship between each employer and any employee who is covered by the agreement. The <i>Fair Work Act 2009</i> sets out the requirements for bargaining a proposed enterprise agreement and matters which must be permitted to be included. Before any new enterprise agreement can be commence operation, it must be agreed to by the Fair Work Commission.  Section 24(1) of the <i>Public Service Act 1999</i> gives Agency Heads the authority to vary the terms and conditions of employment for agency employees. The Director-General in the attached Section 24(1) Determination has extended the National Archive's curren	Medium
				<a href="#">Leave and Other Absences Policy</a>	June 2018 / June 2021	This is a management tool. This policy details provisions of leave, including Annual Leave, Purchased Leave, Personal Leave, Other Leave, Defence Reserves Support Leave, Maternity, Adoption and Parental Leave, and Long Service Leave.	
				<a href="#">HR Delegations</a>	31 October 2011 / No review date has been provided.	Human Resource (HR) Delegations are allocated to a position in the National Archives and not to an 'individual'. As such, any individual occupying the delegated position (in either a continuing, acting or fixed-term capacity) will automatically assume the delegations for the period they are undertaking the role.	
<a href="#">Maternity Leave (Commonwealth Employees) Act 1973 (Cth)</a>	12 Apr 2013	The <i>Maternity Leave (Commonwealth Employees) Act 1973</i> outlines the leave entitlements for persons employed by the Commonwealth, particularly under the <i>Public Service Act 1999</i> . As National Archives staff are employed under this Act, the Archives must comply with the obligations in this Act, including allowing female employees 52 weeks of maternity leave.	People and Culture	<a href="#">Enterprise Agreement 2017-2020</a>  <a href="#">Section 24(1) Determination</a>	23 June 2017 / 24 June 2022	This is a management tool and provides all members of staff with National Archives' formal agreement about the relationship between each employer and any employee who is covered by the agreement. The <i>Fair Work Act 2009</i> sets out the requirements for bargaining a proposed enterprise agreement and matters which must be permitted to be included. Before any new enterprise agreement can be commence operation, it must be agreed to by the Fair Work Commission.  Section 24(1) of the <i>Public Service Act 1999</i> gives Agency Heads the authority to vary the terms and conditions of employment for agency employees. The Director-General in the attached Section 24(1) Determination has extended the National Archive's curren	Medium



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				<a href="#">Leave and Other Absences Policy</a>	June 2018 / June 2021	This is a management tool. This policy details provisions of leave, including Annual Leave, Purchased Leave, Personal Leave, Other Leave, Defence Reserves Support Leave, Maternity, Adoption and Parental Leave, and Long Service Leave.	
				<a href="#">HR Delegations</a>	31 October 2011 / No review date has been provided.	Human Resource (HR) Delegations are allocated to a position in the National Archives and not to an 'individual'. As such, any individual occupying the delegated position (in either a continuing, acting or fixed-term capacity) will automatically assume the delegations for the period they are undertaking the role.	
<a href="#">Maternity Leave (Commonwealth Employees) Regulations 1982 (Cth)</a>	Compilation No 10 1 May 2016	The <i>Maternity Leave (Commonwealth Employees) Regulations</i> 1982 provide the regulatory framework for provision of maternity leave to Commonwealth employees.	People and Culture	<a href="#">Leave and Other Absences Policy</a>	June 2018 / June 2021	This is a management tool. This policy details provisions of leave, including Annual Leave, Purchased Leave, Personal Leave, Other Leave, Defence Reserves Support Leave, Maternity, Adoption and Parental Leave, and Long Service Leave.	Low
<a href="#">Migration Amendment (Reform of Employer Sanctions) Act 2013 (Cth)</a>	14 Mar 2013	The <i>Migration Amendment (Employer Sanctions) Act</i> 2013 amended the <i>Migration Act</i> 1958 to insert a number of provisions prohibiting employers from allowing foreign citizens who to work in Australia either without permission, or in breach of work-related conditions on their visa. Whilst not directly applicable to the National Archives, it does apply to all contractors. Through contract clauses, the National Archives ensures that contracted service providers are not engaging illegal workers when providing services for the National Archives.	People and Culture	<a href="#">Recruitment Guidelines</a>	May 2009 / No review date has been provided.	The Guidelines have been developed to assist Directors, Delegates and Selection Advisory Committee members understand their role and obligations under the <i>Public Service Act</i> 1999 when recruiting and selecting staff for employment at the National Archives.	Medium
				<a href="#">InfoBook - Procurement and Contracts (archives.int)</a>	23 July 2021/ no review date has been provided.	The Procurement Framework exists to provide advice to delegates to ensure that National Archives meets its obligations under the Commonwealth Procurement Rules and the PGPA Act.	

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<a href="#">Ombudsman Act 1976 (Cth)</a>	Compilation No 54 1 Sep 2021	The office of the Commonwealth Ombudsman was established by the <i>Ombudsman Act 1976</i> (Ombudsman Act). The role of the Commonwealth Ombudsman is to consider and investigate complaints from people who believe they have been treated unfairly or unreasonably, by an Australian Government department or agency. The Ombudsman may investigate complaints concerning the National Archives regarding matters of administration (s 5(1)). Section 5A of the Ombudsman Act applies to disclosable conduct of an agency if a disclosure of information has been, or is required to be allocated under s 43 of the <i>Public Interest Disclosure Act 2013</i> , and some of the disclosable conduct relates to an agency. It is immaterial whether the disclosable conduct occurred before or after the commencement of this section of the Ombudsman Act.	Corporate Governance and Risk	<a href="#">National Archives Feedback Policy</a>	9 September 2019 / September 2021	This policy provides members of the public an opportunity to make suggestions and/or complaints. Any complaint raised is an opportunity for the National Archives to monitor and improve its service.	Medium
<a href="#">Paid Parental Leave Act 2010</a>	Compilation No 40 4 Sep 2021	This piece of legislation is designed to provide financial support to working parents to take time off work when they have a baby, or adopt a child. It also sets out how the Paid Parental Scheme operates and its eligibility requirements.	People and Culture	<a href="#">Leave and Other Absences Policy</a>	June 2018 / June 2021	This is a management tool. This policy details provisions of leave, including Annual Leave, Purchased Leave, Personal Leave, Other Leave, Defence Reserves Support Leave, Maternity, Adoption and Parental Leave, and Long Service Leave.	Medium
<a href="#">Parliamentary Privileges Act 1987 (Cth)</a>	Compilation No 4 21 Oct 2016	Parliamentary privilege protects those who participate in 'proceedings in Parliament' from outside interference or suit. It protects the principle that freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any Court, or place outside of Parliament.	Corporate Governance and Risk	<a href="#">Guidelines for Official Witnesses before Parliamentary Committees</a>	February 2015/ No review date has been provided.  Please note these Guidelines belong to the Department of Prime Minister and Cabinet (PM&C).	The National Archives is required to assist its Portfolio Minister to fulfil their accountability obligations by providing full and accurate information to Parliament about the factual and technical background to policies, and their administration.  The Guidelines are published by PM&C and are designed to assist departmental and agency officials, in their dealings with Parliament.  The Corporate Governance & Risk Director is responsible for briefing all participants who need to attend Senate Estimate and any other Parliamentary committees, in order to assist the Portfolio Minister.	Low



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<a href="#">Privacy Act 1988 (Cth)</a>	Compilation No 89 4 Sep 2021	<p>The <i>Privacy Act</i> 1988 (Privacy Act) regulates how personal information is handled. The Privacy Act defines personal information as: information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable. The Act includes 13 Australian Privacy Principles (APPs), which apply to most Australian Government agencies including the National Archives.</p> <p>The Privacy Act refers directly to the operation and effect of the Archives Act in 2 main ways. These are:</p> <ol style="list-style-type: none"> <li>1. by providing that Commonwealth records which are more than 20 years old are not subject to the obligations in the APPs relating to the holding of personal information, meaning the handling of these records is instead governed by the Archives Act (and, in some instances, other specific laws)</li> <li>2. by providing that the destruction and de-identification obligations in APPs 4 and 11 do not apply to personal information contained in a Commonwealth record.</li> </ol> <p>In practice, the Archives Act also needs to be considered when considering reasonable steps for the purposes of the correction obligations in APP 13.</p>	Corporate Governance and Risk	<a href="#">National Archives' Privacy Policy</a>	1 March 2021 / No review date has been provided.	<p>The National Archives will only collect personal information when it is reasonably necessary for, or directly related to National Archives' business. Any personal information which is collected must be in accordance with the 13 Australian Privacy Principles (APPs). This policy outlines the National Archives obligations for managing personal information. It also addresses the types of information the National Archives collects, uses and disclosures, which also includes sensitive information. It also provides information for the public in how they can access and correct their personal information and how any privacy complains can be made.</p> <p>The policy applies to all information, data and records managed by the National Archives, including the archival resources of the Commonwealth in all formats and locations. There are a number of strategies and policies which work together within the policy in order for the National Archives to ensure it is accountable and meets its vision to be a world leading archive in the digital age.</p>	Low
				<a href="#">Information and Data Governance Framework</a>	24 February 2021 / February 2023	This framework has been developed to assist the National Archives to strategically manage its information and data assets. It provides a basis for decision-making and activities relating to its information and data assets. Its aligned with the key standards, policies and strategies of the National Archives and the Australian Government.	
				Interaction between the Privacy Act and the Archives Act	Not on RkS yet	this document discusses the interaction between the Archives Act and the Privacy Act and how records where contain personal information needs to be treated when considering being released, amended and/or destroyed.	
<a href="#">Public Governance, Performance and Accountability Act 2013</a>	Compilation No 4 23 Aug 2017	Aside from the Archives Act, the <i>Public Governance, Performance and Accountability Act</i> 2013 (PGPA Act) is the primary piece of Commonwealth legislation affecting governance of the National Archives. The Director-General is the accountable authority of the National Archives (see s12 PGPA Act, s 5(1A) Archives Act).	Corporate Governance and Risk	<a href="#">Corporate Plan</a>	2021 / 2025	This plan sets out National Archives' priorities and key initiatives and how the plans to deliver against its strategic priorities over the next four years	Low



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<a href="#">Public Governance, Performance and Accountability Rule 2014</a>	Compilation No 41 2 Sep 2021	<p><b>Sections 15 to 19</b> of the PGPA Act specify the accountable authority's duties. Section 15 requires the accountable authority to govern the National Archives in a way that promotes proper use of public resources, fiscal sustainability and the purposes of the entity; s 16 requires the accountable authority to establish and maintain systems relating to risk management and internal control; s 17 requires the accountable authority to encourage officials of the National Archives to cooperate with others to achieve common objectives; s 18 requires that the accountable authority give consideration to the risks associated with use or management of public resources when imposing requirements on others, and the effects of imposing those requirements; and s 19 requires the accountable authority to keep the responsible Minister and the Finance Minister informed of various specified matters.</p> <p><b>Section 13</b> defines an official of a Commonwealth entity as a person who is in or forms part of the entity.</p> <p><b>Sections 25 to 29</b> of the PGPA Act specify an official's duties. Section 25 obliges officials to exercise care and due diligence in performance of their duties; s 26 obliges officials to act in good faith and for a proper purpose; s 27 requires that officials must not use their position to gain a benefit for themselves or anyone else, or cause detriment to the National Archives; s 28 requires that officials must not improperly use information gained whilst acting as an official to gain a benefit for themselves or anyone else, or cause detriment to the National Archives; s 29 requires officials of the National Archives to disclose any material personal interests that relate to the National Archives in the manner defined in the PGPA Rule.</p>	Corporate Governance and Risk	<a href="#">Portfolio Budget Statement</a>	2021/2022	Portfolio Budget Statements inform Members of Parliament and the public of the proposed allocations of resources to government outcomes. They also assist the Senate Standing Committees with their examination of the Government's Budget.	Low
				<a href="#">Annual Report</a>	27 September 2021 / September 2022	The Annual Report was prepared for the purposes of s46 of the PGPA Act and subsection 68(1) and 68(2) of the <i>Archives Act</i> 1983 (Archives Act) which requires the National Archives and their Advisory Council to provide reports annually for presentation in Parliament.	
				<a href="#">Fraud Control Framework and Policy</a>	3 November 2020 / No review date has been provided.	The Fraud and Corruption Control Policy outlines the National Archives' framework to address any risk and fraud which may occur at the agency.	
				<a href="#">Risk Management Framework and Policy</a>	15 February 2021 / November 2022	The Risk Management Framework and Policy defines the National Archives' approach to the management of risk and the principles which support its strategic plans and objectives. This framework is governed by both Commonwealth legislation and policy requirements such as but not limited to, the PGPA Act.	
			Finance and Procurement	<a href="#">Accountable Authority Instructions</a>	January 2019/ No review date has been provided	Accountable Authority Instructions (AAIs) are written instruments that may be issued by the accountable authority to instruct officials on matters relating to finance law. AAIs assist the accountable authorities in meeting their general duties under the <i>Public Governance, Performance and Accountability Act</i> 2013 and establish appropriate internal controls for their entity.	
				<a href="#">Official Hospitality CFOD</a>	5 May 2021/ No review date has been provided.	The Chief Financial Officer Directions outline the instructions to be followed by National Archives' employees and officials when managing official hospitality, in accordance with the <i>Public Governance, Performance and Accountability Act</i> 2013.	
				<a href="#">Financial Management - Procedures - Financial Section Operation Manual</a>	5 April 2021/ No review date has been provided.	This is an RKS file which contains all of the Financial Procedures and operates as a step by step manual for some of the procedures.	

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		<p><b>Section 35</b> of the PGPA Act requires Commonwealth entities to prepare a corporate plan for their Minister and the Finance Minister, which must comply with requirements in the PGPA Rule and cover matters including an introduction, the purpose of the entity, the environment in which the entity will operate, the performance of the entity, capability and risk management. Rule 16E outlines requirements for Corporate Plans.</p> <p><b>Section 37</b> requires that the accountable authority of a Commonwealth entity must cause records to be kept that properly record and explain the entity's performance in achieving its purposes. In addition, s 38 requires that the accountable authority must measure and assess the performance of the entity in achieving its purposes. Section 39 contains a requirement for the accountable authority to prepare an annual performance statement, and include this in the entity's annual report.</p> <p><b>Section 45</b> requires the accountable authority to ensure that the National Archives has an audit committee. Rule 17 outlines the functions of this audit committee.</p> <p><b>Sections 41 to 44</b> specify the requirements for accounts and records required to be kept by the National Archives.</p> <p><b>Section 46</b> imposes annual reporting obligations on the accountable authority to report to its Minister and Parliament.</p>		<a href="#">Procurement Administration Handbook</a>	April 2021/ No review date has been provided.	This manual provides step-by-step guidance with respect to Finance's procedure for administering procurement activities.	
				<a href="#">Accountable Authority Instruction: Procurement</a>	12 February 2021/ No review data has been provided.	Accountable Authority Instructions (AAIs) are written instruments that may be issued by the accountable authority to instruct officials on matters relating to finance law. AAIs assist the accountable authorities in meeting their general duties under the <i>Public Governance, Performance and Accountability Act 2013</i> and establish appropriate internal controls for their entity.	
				<a href="#">Accountable Authority Instructions: Grants</a>	12 February 2021 / No review date has been provided.	Accountable Authority Instructions (AAIs) are written instruments that may be issued by the accountable authority to instruct officials on matters relating to finance law. AAIs assist the accountable authorities in meeting their general duties under the <i>Public Governance, Performance and Accountability Act 2013</i> and establish appropriate internal controls for their entity.	



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		<b>Section 36</b> obliges the accountable authority of the National Archives to prepare budget estimates in accordance with the Finance Minister's directions. In addition, under s 42, the accountable authority must prepare financial statements for the entity as soon as practicable after each reporting period and give the statements to the Auditor-General as soon as practicable after they are prepared. The accountable authority must take all reasonable measures to prevent, detect and deal with fraud in accordance with Rule 10. Rules 16–16D outline how and when an official is to disclose an interest, and what the consequences are of having an interest or failing to disclose interests.					
<a href="#">Public Interest Disclosure Act 2013</a>	Compilation No 14 4 Sep 2021	The <i>Public Interest Disclosure Act 2013</i> (PID Act) provides for employees, former employees and others prescribed by the Act to report wrongdoing by public officials in the Commonwealth public sector. The National Archives is an agency to which the Act applies. Section 10 provides that if an individual makes a public interest disclosure, the individual is not subject to any civil, criminal or administrative liability (including disciplinary action) and no contractual or other remedy may be enforced, and no contractual or other right may be exercised, against the individual on the basis of the public interest disclosure. The principal officer of an agency must investigate a disclosure if the handling of the disclosure is allocated to the agency (s 47), although the principal officer has discretion not to investigate in certain circumstances (s 48). On completing an investigation, the principal officer of the agency must prepare a report of the investigation (s 51). The principal officer of an agency must establish procedures for facilitating and dealing with	Corporate Governance and Risk	<a href="#">Procedures for Handling a Public Interest Disclosure (R88042014)</a>	January 2014 / No review date has been provided.	These procedures are made by the Director-General pursuant to sv59 of the PID Act. The PID Act removes barriers that prevent people who work in the public sector from speaking up about serious problems. It also makes sure any disclosures are properly investigated and provides protection for individuals who report allegations.  As part of the National Archives' obligations under the PID Act, reports are to be provided to the Commonwealth Ombudsman about any PID complaint made and how it was dealt with.	Low



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		public interest disclosures relating to the agency (s 59).					
<a href="#">Public Service Act 1999</a>	Compilation No 20 21 Jan 2019	<p>An Act to provide for the establishment and management of the Australian Public Service and for other purposes.</p> <p>Section 9 of the Archives Act provides that the staff of the National Archives shall be persons engaged under the <i>Public Service Act 1999</i>. Therefore, National Archives employees are bound by the APS Values specified in s 10, the APS Employee Principles specified in s 10A, the APS Code of Conduct specified under s 13, with sanctions that may be imposed if the APS Code of Conduct is breached (s 15). The National Archives must ensure that action is taken to give effect to APS values, including the implementation of a workplace diversity program (s 18).</p> <p>Part 5 – The Australian Public Service Commission – powers to make inquiries into alleged breaches of Code of Conduct by Agency Heads, powers to conduct review and inquiries;  Part 6 – The Merit Protection Commissioner – powers to make inquiries into alleged breaches of the Code of Conduct by APS employees or former APS employees  Part 10 – Administrative arrangement and re-organisation including arrangements with State and Territories and machinery of government changes  Part 10A – Protection of information including information provided to Merit Protection Commission and release of personal information  Part 11 – Miscellaneous including delegations and immunity from civil proceedings</p>	People and Culture	<a href="#">Workplace Harassment and Bullying Policy</a>	June 2018 / June 2021	Workplace harassment and bullying contravenes the APS Values, Employment Principles, Code of Conduct, the <i>Work Health and Safety Act 2012</i> as well as Commonwealth anti-discrimination legislation. Workplace bullying is a risk to health and safety because it may affect the mental and physical health of workers. Failure to take steps to manage the risk of workplace bullying can result in a breach of Work Health and Safety (WHS) laws. Part 6-4B of the <i>Fair Work Act 2009</i> allows a worker who has been bullied to apply to the Fair Work Commission for a stop bullying order to be made to another worker/s, in certain circumstances.	Medium
				<a href="#">Recruitment Guidelines</a>	May 2009 / No review date has been provided.	The Guidelines have been developed to assist Directors, delegates and Selection Advisory Committee members understand their role and obligations under the <i>Public Service Act 1999</i> when recruiting and selecting staff for employment at the National Archives.	
				<a href="#">Code of Conduct Procedures</a>	November 2013 / No review date has been provided.	The Code of Conduct Procedures have been established in accordance with the obligations under subsection 15(3) of the <i>Public Service Act 1999</i> and the <i>Public Service Amendment Act 2013</i> .	

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				<a href="#">Performance Management Policy (R954242008)</a>	November 2008 / No review date has been provided.	<p>The National Archives' Performance Management Policy provides a framework to effectively manage employees in the APS. This policy reflects the capacity to manage employee performance and is divided into two parts:</p> <ol style="list-style-type: none"> <li>1. Outlines the formal Performance Management Scheme to which all employees in the National Archives are subject, including the SES. The scheme operates on an annual cycle commencing 1 July each year; and</li> <li>2. Outlines the Managing Unsatisfactory Performance process provided under the <i>National Archives of Australia Enterprise Agreement 2017-20</i>. This process may be instigated where performance is identified as unsatisfactory or a rating of one through the Performance Management Scheme is received.</li> </ol> <p>Performance management is about supporting organisation performance through providing constructive feedback, developing staff and aligning individual and team performance with organisational goals as set out in the National Archives Corporate Plan and associated business and work plans.</p>	
				<a href="#">National Archives' Guidelines on Reporting and Resolving Allegations of Workplace Harassment</a>	June 2011 / No review date has been provided.	<p>The National Archives is committed to providing a work environment that is free from harassment, discrimination and bullying. This policy reflects clause 301 of the National Archives' <i>Enterprise Agreement 2017-20</i> and should be read in conjunction with the National Archives' <i>Guidelines on Reporting and Resolving Allegations of Workplace Harassment</i>.</p>	



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				<a href="#">Workplace Diversity Program 2017-20</a>	16 November 2017 / No review date has been provided.	<p>Diversity is reflected within several statutes. It is also reflected in the <i>Public Service Commissioner's Directions</i> 2016 and the <i>Guidelines on Workplace Diversity</i> (2001). These documents require Agency Heads to adhere to a series of measures to ensure workplace diversity including:</p> <ul style="list-style-type: none"> <li>ensuring diversity of APS employees is recognised, fostered and made best use of within the workplace, taking into account the organisational and business goals of the Agency, and the skills required to perform the relevant duties;</li> <li>ensuring APS employees are helped to balance their work, family and other caring responsibilities effectively; and</li> <li>developing performance indicators for their workplace diversity program so that they can evaluate the effectiveness and outcomes of the program.</li> </ul> <p>Reviewing their workplace diversity program at least once every four years to ensure that the program continues to give effect to the APS Values, and achieves its outcomes.</p>	
				<a href="#">HR Delegations</a>	31 October 2011 / No review date has been provided.	Human Resource (HR) Delegations are allocated to a position in the National Archives and not to an 'individual'. As such, any individual occupying the delegated position (in either a continuing, acting or fixed-term capacity) will automatically assume the delegations for the period they are undertaking the role.	
				<a href="#">Review of Employment Actions Policy</a>	June 2011	<p>Pursuant to section 10A(1)(a) of the <i>Public Service Act</i> 1999 reflects that agencies are to "make fair employment decisions with a fair system of review". Section 33 permits APS employees to seek a review, in accordance with the regulations, of any APS action that relates to his or her APS employment with the exception of termination. If an employee has their employment terminated, they are able to seek legal remedies pursuant to the <i>Fair Work Act</i> 2009.</p> <p>Any initial review is to be conducted within the National Archives in the first instance. However, APS employees are able to seek a secondary review with the Merit Protection Commissioner if they were not satisfied with the primary review outcome.</p>	
			Corporate Governance and Risk			Will only be involved if a legal action has been commenced.	



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<a href="#">Racial Discrimination Act 1975 (Cth)</a> and various Regulations	Compilation No 17 10 Dec 2015	The <i>Racial Discrimination Act</i> 1975 gives effect to Australia's obligations under the international convention on the elimination of all forms of racial discrimination. Its major objectives are to promote equality before the law for all persons, regardless of their race, colour or national or ethnic origin, and make discrimination against people on the basis of their race, colour, descent, or national or ethnic origin unlawful.	People and Culture	<a href="#">Enterprise Agreement 2017-2020</a>  <a href="#">Section 24(1) Determination</a>	23 June 2017 / 24 June 2022	This is a management tool and provides all members of staff with the National Archives' formal agreement about the relationship between each employer and any employee who is covered by the agreement. The <i>Fair Work Act</i> 2009 sets out the requirements for bargaining a proposed enterprise agreement and matters which must be permitted to be included. Before any new enterprise agreement can be commence operation, it must be agreed to by the Fair Work Commission.  Section 24(1) of the <i>Public Service Act</i> 1999 gives Agency Heads the authority to vary the terms and conditions of employment for agency employees. The Director-General in the attached Section 24(1) Determination has extended the National Archive's curren	Medium
				<a href="#">Workplace Diversity Program 2017-20</a>	16 November 2017 / No review date has been provided.	Diversity is reflected within several statutes. It is also reflected in the <i>Public Service Commissioner's Directions</i> 2016 and the <i>Guidelines on Workplace Diversity</i> (2001). These documents require Agency Heads to adhere to a series of measures to ensure workplace diversity which include: <ul style="list-style-type: none"> <li>ensuring diversity of APS employees are recognised, fostered and made best use of within the workplace, taking into account the organisational and business goals of the Agency and the skills required to perform the relevant duties;</li> <li>ensuring APS employees are helped to balance their work, family and other caring responsibilities effectively;</li> <li>developing performance indicators for their workplace diversity program so that they can evaluation the effectiveness and outcomes of the program; and</li> <li>Reviewing their workplace diversity program at least once every four years to ensure that the program continues to give effect to the APS Values and achieves its outcomes.</li> </ul>	

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				<a href="#">Workplace Harassment and Bullying Policy</a>	June 2018/ June 2021	Workplace harassment and bullying contravenes the APS Values, Employment Principles, Code of Conduct, the <i>Work Health and Safety Act 2012</i> , as well as Commonwealth anti-discrimination legislation. Workplace bullying is a risk to health and safety because it may affect the mental and physical health of workers. Failure to take steps to manage the risk of workplace bullying can result in a breach of Work Health and Safety (WHS) laws. Part 6-4B of the <i>Fair Work Act 2009</i> allows a worker who has been bullied to apply to the Fair Work Commission for a stop bullying order to be made against another worker/s, in certain circumstances.	
			Corporate Governance and Risk			Will only be involved if a legal action has commenced.	
<a href="#">Remuneration Tribunal Act 1936 (Cth)</a>	Compilation No 61  1 Feb 2019	The <i>Remuneration Tribunal Act 1973</i> establishes the Remuneration Tribunal as an independent statutory authority responsible for reporting on and determining the remuneration, allowances and expenses of key Commonwealth office holders. These include members of parliament, Judges of Federal Courts, most full-time and part-time holders of public offices and principal executive offices. The remuneration and allowances of the Director-General of the National Archives and of the members its Advisory Council are covered under these arrangements.	People and Culture	<a href="#">Remuneration Tribunal Determination s Public Office Holder: Director-General</a>	31 August 2021	Remuneration and allowances for certain full-time public offices are set out in this Determination. The Director-General's remuneration is covered by this Determination.	Low
				<a href="#">Remuneration Tribunal Determination s Public Office Holders Part-Time - Advisory Council</a>	31 August 2021	Remuneration and allowances for certain part time public offices are set out in this Determination. The National Archives' Advisory Council members are covered by this Determination.	
			Corporate Governance and Risk			Corporate Governance and Risk will also be involved if a legal action has commenced	



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<a href="#">Safety, Rehabilitation and Compensation Act 1988 (Cth)</a>	Compilation No 75 6 Apr 2019	The <i>Safety, Rehabilitation and Compensation Act 1988</i> (SRC Act) provides rehabilitation and workers' compensation to employees covered by the scheme for a work-related injury. The Act sets out detailed provisions on compensation and rehabilitation. Employees of the National Archives are covered by the provisions of this Act, but most claims would be handled by Comcare rather than by the National Archives directly.	People and Culture	<a href="#">Health and Wellbeing Program</a>	September 2016/ September 2022	The National Archives Health and Wellbeing Program is designed to encourage and support a healthier workplace and ongoing employee healthy lifestyle choices; complementing existing safe working practices that are conducted as required under the <i>Work Health and Safety Act 2011</i> . This Program was recognised and accredited by the ACT Work Safety Commissioner in October 2016, as an ACT based organisation committed to the health and wellbeing journey. In 2020, the National Archives reached Platinum Status Embed with ACT Healthier Work. The National Archives is committed to continuing with an annual Health and Wellbeing Program which will be developed in consultation with the agency and staff yearly.	Medium
				<a href="#">HR Delegations</a>	31 October 2011/ No review date has been provided.	Human Resource (HR) Delegations are allocated to a position in the National Archives and not to an 'individual'. As such, any individual occupying the delegated position (in either a continuing, acting or fixed-term capacity) will automatically assume the delegations for the period they are undertaking the role.	
				<a href="#">Rehabilitation Management System</a>	18 December 2017 / December 2020	The National Archives' Senior Executive team (the Executive) is committed to protecting the health, safety and welfare of all its employees. This commitment extends to providing a supportive environment that assists employees and their managers through the rehabilitation process to return to work following an absence for either a work-related, or non-work-related injury or illness.	

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				<a href="#">Comcare Information</a>	27 November 1998 / No review date has been provided.	<p>Comcare is established under the SRC Act, which sets out its functions and powers. Comcare is the Commonwealth's workers' compensation insurer and national work health and safety regulator. The Comcare scheme provides rehabilitation and workers' compensation to employees covered by the scheme for a work-related injury or illness. Decisions on claims are made by Comcare. It is characterised by:</p> <ul style="list-style-type: none"> <li>• a 'no fault' scheme, with limited access to common law</li> <li>• an integrated approach to preventing injury and providing occupational rehabilitation and workers' compensation</li> <li>• employers being responsible for the occupational rehabilitation and return to work of their employees</li> <li>• Comcare approval of workplace rehabilitation providers</li> <li>• a comprehensive benefit structure with an entitlement to compensation payments</li> <li>• cover of relevant medical, rehabilitation and related costs associated with a work-related injury or illness</li> <li>• lump sum payments for permanent impairment due to a work-related injury or illness.</li> </ul>	
				<a href="#">Fitness for Duty Policy</a>	13 March 2018/ March 2021	Under Regulation 3.2 of the <i>Public Service Regulations</i> 1999, an Agency Head (or their delegate) is able to send an APS employee for a fitness for duty assessment to determine whether an employee's health will, or is likely to, impair their ability to perform their duty.	
				<a href="#">Return to Work Policy</a>	August 2005/ August 2007	The SRC Act, (which is administered by Comcare) provides the framework for a systematic and coordinated approach to rehabilitation for Commonwealth employees who sustain an injury arising out of, or in the course of, their employment. This policy is consistent with s 40 of the Act which provides an obligation for a return to work for injured or ill employees.	



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<a href="#">Sex Discrimination Act 1984</a>	Compilation No 42 11 Sep 2021	The <i>Sex Discrimination Act</i> 1984 gives effect to Australia's obligations under the Convention on the elimination of all forms of discrimination against women and certain aspects of the <i>International Labour Organisation (ILO) Convention 156</i> . Its major objectives are to: <ul style="list-style-type: none"> <li>• promote equality between men and women;</li> <li>• eliminate discrimination on the basis of sex, marital status or pregnancy and, with respect to dismissals, family responsibilities; and</li> <li>• eliminate sexual harassment at work, in educational institutions, in the provision of goods and services, in the provision of accommodation, and the delivery of Commonwealth programs.</li> </ul>	People and Culture	<a href="#">Enterprise Agreement 2017-2020</a>  <a href="#">Section 24(1) Determination</a>	23 June 2017 / 24 June 2022	This is a management tool and provides all members of staff with the National Archives' formal agreement about the relationship between each employer and any employee who is covered by the agreement. The <i>Fair Work Act</i> 2009 sets out the requirements for bargaining a proposed enterprise agreement and matters which must be permitted to be included. Before any new enterprise agreement can be commence operation, it must be agreed to by the Fair Work Commission.  Section 24(1) of the <i>Public Service Act</i> 1999 gives Agency Heads the authority to vary the terms and conditions of employment for agency employees. The Director-General in the attached Section 24(1) Determination has extended the National Archive's curren	Medium
				<a href="#">Workplace Diversity Program 2017-20</a>	16 November 2017 / No review date has been provided.	Diversity is reflected within several statutes. It is also reflected in the <i>Public Service Commissioner's Directions</i> 2016 and the <i>Guidelines on Workplace Diversity</i> (2001). These documents require Agency Heads to adhere to a series of measures to ensure workplace diversity which include: <ul style="list-style-type: none"> <li>• ensuring diversity of APS employees are recognised, fostered and made best use of within the workplace, taking into account the organisational and business goals of the Agency and the skills required to perform the relevant duties;</li> <li>• ensuring APS employees are helped to balance their work, family and other caring responsibilities effectively;</li> <li>• developing performance indicators for their workplace diversity program so that they can evaluation the effectiveness and outcomes of the program; and</li> <li>• reviewing their workplace diversity program at least once every four years to ensure that the program continues to give effect to the APS Values and achieves its outcomes.</li> </ul>	

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				<a href="#">Workplace Harassment and Bullying Policy and Guidelines</a>	June 2018 / June 2021	Workplace harassment and bullying contravenes the APS Values, Employment Principles, Code of Conduct, the <i>Work Health and Safety Act 2012</i> as well as Commonwealth anti-discrimination legislation. Workplace bullying is a risk to health and safety because it may affect the mental and physical health of workers. Failure to take steps to manage the risk of workplace bullying can result in a breach of Work Health and Safety (WHS) laws. Part 6-4B of the <i>Fair Work Act 2009</i> , allows a worker who has been bullied to apply to the Fair Work Commission for a stop bullying order to be made against another worker/s, in certain circumstances.	
			Corporate Governance and Risk			Corporate Governance and Risk will only be involved if a legal action has been commenced.	
<a href="#">Statutory Declarations Act 1959</a>	26 Nov 2004	A statutory declaration is a written statement that a declarant signs in which they swear under oath or affirm the facts contained in that statement are true and correct. It is also to be signed in the presence of an authorised witness. A declarant can be charged with a criminal offence if the information contained in that statement is found to be untrue.	Property & Security	<a href="#">Protective Security Policy</a>  <a href="#">Personnel Security Procedure</a>		A statutory declaration is a statement of fact which a person declares to be true. It can be used as evidence. If a person makes a false statement on purpose, they can be charged with a criminal offence. Statutory declarations are used as part of the security vetting process in the National Archives.	Low
<a href="#">Taxation Administration Act 1953 (Cth)</a>	Compilation No 183 1 Sep 2021	The <i>Taxation Administration Act 1953</i> sets out the framework for determining the general interest charge calculation that applies to late payments for the pay on time policy. It also contains an offence for the unauthorised recording, use and disclosure of tax file numbers (see s 8WB).	Finance and Procurement	<a href="#">List of Resource Management Guides</a>		This is a Department of Finance document which provides guidance for their publications. These documents have been used in the National Archives to ensure our policies are in line with government policies and procedures.	
<a href="#">Trade Marks Act 1995 (Cth)</a>	Compilation No 41 1 Sep 2021	The <i>Trade Marks Act 1995</i> defines trade marks (including certification marks and collective marks), what constitutes trademark infringement and defences and exceptions thereto, and (together with the Trade Marks Regulations) sets out procedures for registration and other proceedings before the Registrar of Trade Marks. The National Archives is obliged to comply with this Act in relation to its registered trademarks.	Communications, Marketing, Partnerships and Events	<a href="#">Corporate Branding</a>	11 December 2001 / 11 December 2031	A trade mark is used to distinguish goods and services from those of another business. The National Archives currently has 1 registered trademark – AGLS Metadata Standard. On 11 December 2021, this trade mark was renewed for a further 10-year period.  The AGLS Meta Standard is a set of descriptive properties designed to improve the visibility and accessibility of online resources. AGLS is issued by Standards Australia as AS5044: 2010.	Low



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<a href="#">Work Health and Safety Act 2011 (Cth)</a>	Compilation No 10 1 Sep 2021	The <i>Work Health and Safety Act 2011</i> (WHS Act) and associated <i>Work Health and Safety Regulations 2011</i> , implement model work health and safety laws that have also been adopted in most of the Australian states and territories. The WHS Act sets out the legal obligations imposed on the National Archives to ensure the health and safety of persons on its premises (employees, volunteers and members of the public). There are a large number of obligations including duties regarding management and control of fixtures, fittings and plant; the safe storing of substances; obligation to undertake risk analysis; develop safety plans; consult with employees, and to notify relevant authorities of incidents.	Corporate Governance and Risk			Will be involved if a legal action has commenced.	Low
			People and Culture	<a href="#">Workplace Health &amp; Safety Arrangements</a>	October 2021 / October 2024	The WHS Act and its regulations provide a framework to secure the health and safety of workers and the workplace.  The Workplace Health & Safety Arrangements outline the arrangements between the Director-General of the National Archives and its workers to manage the promotion and development of measures to ensure health, safety and welfare of workers whilst at work.	
				<a href="#">Officer Work Health and Safety Due Diligence Framework</a>	1 February 2013 / No review date has been provided.	This framework provides guidance for those National Archives workers who are deemed to be 'officers' for the purposes of the WHS Act. It forms part of the <i>Archives' Work Health and Safety Arrangements</i> .	
				<a href="#">First Aid policy (R110162021)</a>	January 2021 / January 2024	This policy sets out how the National Archives supports the work health and safety of all workers and visitors through the provision of first aid services.	
				<a href="#">Smokefree Workplace Policy</a>	1 February 2013 / February 2016	In 1988, the Australian Public Service adopted a smoke free work environment policy. This applies to all Commonwealth workplaces. As a result, smoking is banned in locations where smoke could enter the workplace or where Environmental Tobacco Smoke (ETS) could affect persons entering or leaving a workplace. This policy is also supported by the WHS Act and its regulations.	
				<a href="#">WHS Incident Reporting Policy</a>	May 2021 / May 2024	The key objectives of this policy are to provide clear instructions with respect to the reporting of WHS incidents to ensure National Archives meets its statutory obligations under the WHS Act and its regulations as well as its overall duty of care to provide a safe working environment and to keep workers and visitors free from harm.	
				<a href="#">Mental Health Guidance for Managers - 2021</a>	26 October 2021 / No review date has been provided.	This document provides managers with information in the work factors which can impact of their staff's mental health. It also provides information on how managers can promote mental health and wellbeing in their teams.  This information should be read in conjunction with the National Archives Mental Health and Wellbeing policy.	

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				<a href="#">Mental Health and Wellbeing Policy - 2021</a>	October 2021 / October 2024	In accordance with the WHS Act, the National Archives is committed to providing a safe and healthy work environment in which workers are treated fairly and with respect. All managers and workers have a duty to take reasonable care for their own health and safety and to ensure they do not adversely affect the health and safety of others.	
<a href="#">Working with Vulnerable People (Background Checking) Act 2011 (ACT)</a>	Version - R17 20 Feb 2021	The <i>Working with Vulnerable People (Background Checking) Act 2011 (ACT)</i> aims to reduce the risk of harm or neglect to vulnerable people in the ACT. The Act requires those who work or volunteer with vulnerable people to have a background check and be registered. The premise of background checking is that the past behaviour of an individual can provide an indication of the possible future behaviour of that individual. Examples or patterns of abusive or inappropriate behaviour can sometimes be evident in information available for assessment, which includes an individual's criminal record. The Act applies to the volunteers of National Archives undertaking activities at its premises in Canberra.	Access and Public Engagement	<a href="#">Recruitment and Selection Guidelines</a>	August 2009 / No review date has been provided	<p>These guidelines were developed to assist Directors, Delegates and Selection Advisor Committee Members understand their roles and obligations under the <i>Public Service Act 1999</i> when recruiting and selecting staff for employment at the National Archives. The guidelines are aimed at those directly involved in recruiting and selecting staff.</p> <p>In the context of recruitment, it is also necessary to consider the APS Code of Conduct provisions (set out in Section 13 of the Public Service Act), which require APS employees to:</p> <ul style="list-style-type: none"> <li>• behave honestly and with integrity (Section 13[1]);</li> <li>• treat everyone with respect and courtesy and without harassment (Section 13[3]); and</li> <li>• disclose, and take reasonable steps to avoid, any real or apparent conflict of interest (Section 13[7]).</li> </ul>	Low
			Reference Volunteers			<p>Public Programs does not have any formal policies or procedures in place to deal with the ACT Working with Vulnerable People (WWVP) legislation. However, a practice has been developed where all positions in Learning and Visitor Experience are required to have a current WWVP card as the National Archives deliver programs and services to members of the public, including school and community groups. As there is a possibility of having a vulnerable person attending the National Archives, staff in certain positions are required to obtain a WWVP card.</p> <p>Also see <a href="#">Commonwealth Child Safe Framework</a>.</p>	Low



Legislation / Compliance Instrument	Version – last amended	Description of Legislation / Obligation	Compliance Owner	Policy / Information	Date of Last Review/ Date of Next review	Significance for the National Archives	Treated Risk Rating
			Property and Security	<a href="#">Protective Security Policy</a>  <a href="#">Personnel Security Procedure</a>		As part of the security vetting process for Public Programs, all Visitor Services Officers and staff for the Learning and Life-Long learning Programs are required to have WWVP cards.	
<a href="#">Workplace Gender Equality Act 2012 (Cth)</a>	Compilation No 20 1 Jul 2016	The <i>Workplace Gender Equality Act</i> 2012 replaced the <i>Equal Opportunity for Women in the Workplace Act</i> 1999. The Act aims to improve and promote equality for both women and men in the workplace.	People and Culture	<a href="#">Workplace Diversity Program 2017-20</a>	16 November 2017 / No review date has been provided.	Diversity is reflected within several statutes. It is also reflected in the <i>Public Service Commissioner's Directions</i> 2016 and the <i>Guidelines on Workplace Diversity</i> (2001). These documents require Agency Heads to adhere to a series of measures to ensure workplace diversity which include: <ul style="list-style-type: none"> <li>ensuring diversity of APS employees are recognised, fostered and made best use of within the workplace, taking into account the organisational and business goals of the Agency and the skills required to perform the relevant duties;</li> <li>ensuring APS employees are helped to balance their work, family and other caring responsibilities effectively;</li> <li>developing performance indicators for their workplace diversity program so that they can evaluation the effectiveness and outcomes of the program; and</li> <li>reviewing their workplace diversity program at least once every four years to ensure that the program continues to give effect to the APS Values and achieves its outcomes.</li> </ul>	Low

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				<a href="#">Recruitment and Selection Guidelines</a>	May 2019	<p>The APS Values articulate the culture and operating ethos of the APS and provide the framework within which employment powers are exercised. Some key points set out in the APS Values (Section 10 of the <i>Public Service Act</i> 1999) and the <i>Public Service Commissioner's Directions</i> relating to recruitment and selection are:</p> <ul style="list-style-type: none"> <li>• merit-based decision-making (Section 10[1][b] and Direction 2.3) (discussed separately below);</li> <li>• reasonable opportunity given for eligible members of the community to apply for APS employment (Section 10[1][m] and Direction 2.14);</li> <li>• independence of staffing decisions from the political party system, political bias and political influence (Section 10[1][a] and Direction 2.2);</li> <li>• compliance with all relevant anti-discrimination legislation, and recognition, respect and utilisation of diversity, including the balancing of work, family and caring responsibilities (section 10[1][c] and Direction 2.4);</li> <li>• modelling and promoting the highest standard of ethical behaviour (Section 10[d] and Direction 2.6);</li> <li>• promotion of a fair, flexible and rewarding workplace (Section 10[1][j] and Direction 2.11);</li> <li>• promotion of equity in employment, so that employment decisions are made in a transparent, equitable and procedurally fair way, while maintaining appropriate confidentiality (Section 10[1][i] and Direction 2.13[a]); and</li> <li>• elimination of employment-related disadvantage for specified groups (Section 10[1][i] and Direction 2.13[b]).</li> </ul> <p>In the context of recruitment, it is also necessary to consider the APS Code of Conduct provisions (set out in Section 13 of the <i>Public Service Act</i>), which require APS employees to:</p> <ul style="list-style-type: none"> <li>• behave honestly and with integrity (Section 13[1]);</li> <li>• treat everyone with respect and courtesy and without harassment (Section 13[3]); and</li> <li>• disclose, and take reasonable steps to avoid, any real or apparent conflict of interest (Section 13[7]).</li> </ul>	
			Corporate Governance & Risk			Corporate Governance and Risk will only be involved if a legal action has commenced.	