FILE NOTE:

Department of Prime Minister and Cabinet - Residual Constitutional Links and Fetters with the United Kingdom – missing.

Series: A1209
Control Symbol: 1984/689 PART 1
Item ID: 12161293

The above record relating to Residual Constitutional Links and Fetters with the United Kingdom is unable to be located by the controlling agency – Department of Prime Minister and Cabinet (PM&C) and National Archives

- The record was on agency lending job 2005/00323626 dated 2 June 2005
- PM&C advised this record was returned on 18 October 2010.
- PM&C correspondence - R239462026.
- Searches conducted by PM&C includes:
  - TRIM / Active audit events
  - Physical catalogues
- Lending performed a physical search of the repository in Mitchell for the returned record and were unable to locate it.
- Lending to apply a missing indicator
- Update: 1 July 2026
  - Note on consignment A1209/83 on Job Inspection Screen: Transfer job withdrawn by Prime Minister and Cabinet on 18/07/2025. Refer to RKS container 2025/60 for details. Record may have been withdrawn in 2025

s 47F(1)

Access Examiner
29 June 2026

NATIONAL ARCHIVES OF AUSTRALIA

Statement of Reasons for Decision under Section 40(5) of the *Archives Act 1983*

Decision-maker	s 47F(1)
Designation	APS5 Access Examiner
Date	29 June 2026

In accordance with requirements of subsection 8(1) of the *Archives Act 1983* (Cth), the decision-maker is authorised by the Director-General, pursuant to an Instrument of Delegation, to make a decision in relation to access to the requested item.

On 9 December 2025 you applied for access to records created or controlled by the Department of the Prime Minister and Cabinet relating to Residual Constitutional Links and Fetters with the United Kingdom (the subject).

Decision

The decision-maker has determined that no records relating to the subject in the open access period, as defined by the Archives Act, can be found.

Material considered

The following information was considered:

- the relevant provisions of the Act
- policy and guidelines of National Archives of Australia that relate to the access examination and destruction of Commonwealth records
- the information supplied in your application
- results of searches for items created or controlled by Department of the Prime Minister and Cabinet
- results of searches undertaken by Department of the Prime Minister and Cabinet.

The findings of fact

National Archives' database RecordSearch, which contains information about the transfer and storage of records in Archives' custody, was consulted. A review of all consignment listings for

National Reference Service | PO Box 4924, Kingston ACT 2604
e ref@naa.gov.au **naa.gov.au**

transfers received from the controlling agency was undertaken. A ‘consignment list’ is the document National Archives usually receives that lists the records an agency has transferred to National Archives at a specific time. The item was not located.

The controlling agency conducted a search of their items in the open period for the item with reference A1209, 1984/689 PART 1, IID 12161293 - Department of the Prime Minister and Cabinet - Residual Constitutional Links and Fetters with the United Kingdom. Searches undertaken by Department of the Prime Minister and Cabinet include:

* Search of internal Electronic Document and Records Management System (EDRMS) for audit trails and storage location histories

* Search of physical catalogues

Reasons for decision

All reasonable attempts have been made to locate the record.

The search undertaken by National Archives was unable to locate the file that matched your request.

Review of decision

If dissatisfied with the decision, the s40 applicant can request a review within 28 days of receiving notification of this decision by applying to National Archives in writing for an internal reconsideration under section 42 of the Act.

On receipt of the request, National Archives has 30 business days to respond. If on receipt of the internal reconsideration decision, the applicant is still dissatisfied with the decision, they may apply to the Administrative Review Tribunal (ART) directly for a review.

For more information on review of decisions and how to submit a review, refer to the National Archives website *What to do if we refuse you access* (https://www.naa.gov.au/help-your-research/using-collection/access-records-under-archives-act/what-do-if-we-refuse-you-access).

National Reference Service | PO Box 4924, Kingston ACT 2604
e ref@naa.gov.au **naa.gov.au**

s 47F(1)

From: s 47F(1) @pmc.gov.au>
Sent: Tuesday, 18 August 2026 3:21 PM
To:
Cc: s 47F(1)
Subject: 2026/01023720 -- 1984//689 PART 1 [SEC=OFFICIAL]
Attachments: Receipts from NAA Signed 2010.pdf; New Request 2026_01023720 CA 1401.docx; RE: RE: S40 Application for Access Job no. 2026/1023720 [SEC=OFFICIAL]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: High Priority, Work to do

OFFICIAL

Hi s 47F(1),

At the beginning of year, the department received a Not Recorded in Archival Custody search request in relation to PM&C record 1984/689- attached.
We suspect this request might be related to a pending Section 40 request that the Access Examination team had forwarded to the department in June this year (1981/860C)

In response to the NRA request searches of our record keeping systems were conducted to locate the record. Searches indicated that the record was returned to Archives in October 2010. This advice was provided to the Reference Services – attached.

Reference Services advised that they were still unable to locate this record in NAA's custody, as such this has triggered further searches on our end.

As a result of the further searches, we have since discovered that there are 10 parts listed for 81/0860C in our record keeping system, however RecordSearch lists 11 parts. We suspect that 1984/689 may have been mislabelled.

In June, the department received a Section 40 access request for 1981/860C (item ID 12251943). This does not match the 81/0860C-01 we have listed within our record keeping system, Content Manager, which has an item ID of 12161293. This is the item ID that is assigned to 1984/689 PART 1 in RecordSearch.

There are two entries in Record Search for 81/0860C. The other one is: 1981/860C PART 1 (item ID: 3018285) This file is also withheld pending advice and with another agency.

Upon review of the record 1981/860C received as part of the Section 40 request, we note that the papers contained within the record range from February 1984 to June 1984 and the barcodes appears to have been relabelled at least twice.

Can you please confirm whether there have been any label/ barcode changes for this file (or all of the above files) And which agency is currently reviewing record 1981/860C PART 1.

For your awareness, the department has recently received an FOI request seeking information on the Section 40 request and the Records Not in Archival Custody request.

Apologies in advance there is a lot of information to digest, happy to meet with you to discuss further if preferred. Any advice you can provide would be much appreciated, please let us know if this query should be directed elsewhere.

Kind regards,

s 47F(1) | Assistant Director
Information and Records Management | Information Management and Enterprise Applications
Department of the Prime Minister and Cabinet
p. (02) 6228 6922
I work on Bindal and Wulgurukaba Country



The Department of the Prime Minister and Cabinet (PM&C) would like to acknowledge the Traditional Custodians of Country throughout Australia and their continuing spiritual, social and cultural relationship with the land, waters, skies and community. We pay our respects to their Elders past and present, and to their community leaders, and extend that respect to all Aboriginal and Torres Strait Islander peoples.



IMPORTANT: This message, and any attachments to it, contains information that is confidential and may also be the subject of legal professional or other privilege. If you are not the intended recipient of this message, you must not review, copy, disseminate or disclose its contents to any other party or take action in reliance of any material contained within it. If you have received this message in error, please notify the sender immediately by return email informing them of the mistake and delete all copies of the message from your computer system.

FOI 266 - Document 3.1

2010/0141.

COPY

pForm 302
(revised)

AUSTRALIAN ARCHIVES

DATE 18-Oct-10

RECEIPT FOR ITEMS RETURNED[1]

BRANCH / NAME:
RMU / s 47F(1)

DEPARTMENT / AGENCY:
DEPARTMENT OF THE PRIME MINISTER AND CABINET
CA 1401

The following items have been returned to Archival Custody:

No	*Series or Acc No.*	*Details*	*Receiver*	*Return Check*
1	A1209	97/0309 – WATER REFORM POLICY	✓	
2	A1209	99/1387 - FINANCIAL ASSISTANCE AGREEMENTS FOR NATIVE TITLE ECONOMIC DIVISION	✓	
3	A1209	94/1262 - COUNCIL OF AUSTRALIAN GOVERNMENTS COAG WORKING GROUP ON WATER RESOURCE POLICY IRE	✓	
4	A1209	94/4328 - COUNCIL OF AUSTRALIAN GOVERNMENTS COAG MEETING 11 APRIL 1995 CANBERRA CSRS	✓	
5	A1209	84/0446C - POLAR MEDAL POLICY ASPECTS	✓	
6	A1209	81/0860C-01 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UNITED KINGDOM	✓	
7	A1209	83/1068C - AUSTRALIAN ORDER OF PRECEDENCE HONOURS & AWARDS PREPARATION	✓	
8	A1209	98/2065 - FINANCIAL ASSISTANCE AGREEMENTS FOR NATIVE TITLE ECONOMIC DIVISION	✓	
9	A1209	98/2512 - WATER REFORM POLICY	✓	
10	A1209	95/0042 - COUNCIL OF AUSTRALIAN GOVERNMENTS COAG MEETING 11 APRIL 1995 CANBERRA CSRS	✓	
11	A1209	94/1264 - COUNCIL OF AUSTRALIAN GOVERNMENTS COAG WORKING GROUP ON WATER RESOURCE POLICY IRE	✓	

FOR A.A. OFFICE USE ONLY

P	T	US	T/N	Estrays

s 47F(1)

Received by .....

Date ..... 19/10/10 .....

Returned by... s 47F(1)

Date ...18 /10/10.

[1] This form is to be completed in triplicate. Two copies are to accompany returning files. Third copy to remain on file.

COPY

Form 302
(revised)

AUSTRALIAN ARCHIVES

DATE 18-Oct-10

RECEIPT FOR ITEMS RETURNED[1]

BRANCH / NAME:
RMU s 47F(1)

DEPARTMENT / AGENCY:
DEPARTMENT OF THE PRIME MINISTER AND CABINET
CA 1401

The following items have been returned to Archival Custody:

No	*Series or Acc No.*	*Details*	*Receiver*	*Return Check*
1	A1209	81/0860C-01 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UNITED KINGDOM	✓	
2	A1209	84/0689C-04 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UK	✓	
3	A1209	81/0860C-10 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UNITED KINGDOM	✓	
4	A1209	84/0689C-02 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UK	✓	
5	A1209	81/0860C-05 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UNITED KINGDOM	✓	
6	A1209	84/0689C-06 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UK	✓	
7	A1209	84/0689C-08 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UK	✓	
8	A1209	81/0860C-04 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UNITED KINGDOM	✓	
9	A1209	84/0689C A01 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UK	✓	
10	A1209	83/0840C-02 - MR W F TOOMER DISPUTE WITH DEPARTMENT OF HEALTH	✓	
11	A1209	81/0860C-03 - RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UNITED KINGDOM	✓	

FOR A.A. OFFICE USE ONLY

P	T	US	T/N	Estrays

s 47F(1)

Received by .....

Date .....19/10/10.....

Returned by... s 47F(1)

Date ...18 /10/10.

[1] This form is to be completed in triplicate. Two copies are to accompany returning files. Third copy to remain on file.

Australian Government | NATIONAL ARCHIVES OF AUSTRALIA

APPLICATION FOR ACCESS

Application details

Access application job no:	2026/01023720
Application type:	Fast-track for researcher
Reference inquiry job no:	NAA1/00437149
Agency controlling:	CA 1401
Date submitted:	09-Dec-2025
Date due:	23-Apr-2026
Reference officer:	s 47F(1)

Client Details

Comment:	Record with PM&C from 2005 as part of Agency lending job 2005/00323626

Item Details

Series: A1209 **Control Symbol:** 1984/689 PART 1 **Barcode:** 12161293

Title: Residual Constitutional Links and Fetters with the United Kingdom

Access status: NYE **Date of decision:**

Date Completed: ..... Completed by: .....

s 47F(1)

From: Help - Records Management s 47E(d) @pmc.gov.au>
Sent: Friday, 6 March 2026 1:00 PM
To: reference transfers
Subject: RE: RE: S40 Application for Access Job no. 2026/1023720 [SEC=OFFICIAL]

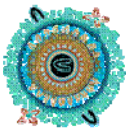
Hi s 47F(1)

Not sure if I responded to you on this but the consignment is A1209/83 and ELM number FILEPM1H23

Hope that helps
s 47F(1) (she/her) | Records Advisor
Information Management and Enterprise Applications
Department of the Prime Minister and Cabinet
p. (02) 6271 5262

I work on Ngunnawal & Ngambri land from 8:00 to 16:00





The Department of the Prime Minister and Cabinet (PM&C) would like to acknowledge the Traditional Custodians of Country throughout Australia and their continuing spiritual, social and cultural relationship with the land, waters, skies and community. We pay our respects to their Elders past and present, and to their community leaders, and extend that respect to all Aboriginal and Torres Strait Islander peoples.



From: s 47F(1) @naa.gov.au> **On Behalf Of** reference transfers
Sent: Thursday, 19 February 2026 9:10 AM
To: Help - Records Management s 47E(d) @pmc.gov.au>
Subject: RE: RE: S40 Application for Access Job no. 2026/1023720 [SEC=OFFICIAL]

OFFICIAL

Hi s 47F(1)

Do you have the consignment details for 84/0689C **A01.** That way we can see if it has the same consignment details as 84/698 PART 1.

We have checked the others items in the return and it wasn't accidentally put with them and it doesn't appear to be anywhere else in that consignment that we can find.

Any other info you have would be appreciated.

Thanks,
s 47F(1)

OFFICIAL

From: Help - Records Management s 47E(d) @pmc.gov.au>
Sent: Thursday, 29 January 2026 12:57 PM
To: reference transfers s 47E(d) @naa.gov.au>; Help - Records Management s 47E(d) @pmc.gov.au>
Subject: CM: RE: S40 Application for Access Job no. 2026/1023720 [SEC=OFFICIAL]

Hi s 47F(1)

Something strange is going on here, and very confusing. I can see we withdrew 84/689 PART 1 in 2005 along with 6 other parts. I also cannot see we withdrew the attachment file below:

84/0689C **A01** RESIDUAL CONSTITUTIONAL LINKS AND FETTERS WITH THE UK 01/01/1984

Yet our records (attached) indicate this was returned along with parts 2, 4, 6 and **8** on 18 October 2010. Audit activity logs also advise all these files were returned in 2010 (8 parts and the attachment). (I cannot find a similar receipt for the other parts however)

The ELM number for the attachment is: FILEPM1H23 and for the part 1 is: FILEPM1H1W.

Maybe these will provide a lead about what has happened?

Hope this helps you locate the file.

Kind regards,

s 47F(1) (she/her) | Records Advisor
Information Management and Enterprise Applications
Department of the Prime Minister and Cabinet
p. (02) 6271 5262

I work on Ngunnawal & Ngambri land from 8:00 to 16:00

The Department of the Prime Minister and Cabinet (PM&C) would like to acknowledge the Traditional Custodians of Country throughout Australia and their continuing spiritual, social and cultural relationship with the land, waters, skies and community. We pay our respects to their Elders past and present, and to their community leaders, and extend that respect to all Aboriginal and Torres Strait Islander peoples.

From: s 47F(1) @naa.gov.au> **On Behalf Of** reference transfers
Sent: Thursday, 29 January 2026 9:23 AM
To: Help - Records Management s 47E(d) @pmc.gov.au>
Subject: S40 Application for Access Job no. 2026/1023720 [SEC=OFFICIAL]

OFFICIAL

Our reference: 2026/9; 2026/1023720
Records and Information Management Team
Department of the Prime Minister and Cabinet

Request under Section 40 of the Archives Act 1983
for Records Not Recorded in Archival Custody (NRA)

On **9 December 2025**, a researcher applied under Section 40 of the *Archives Act* 1983, for open period records. **Please see attachments for details.**

Legislative background

Section 40 Applications for access to records

(1) This section applies in relation to an application to the Archives for access, or for an extension of partial access, to a record referred to in section 31

Section 31 (1A) This section applies to a Commonwealth record that:

(a) is in the open access period; and
(b) is in the care of the Archives or in the custody of a Commonwealth institution; and
(c) is not an exempt record.
Section 31(2) requires agencies that have custody of open period records to make whatever arrangements are necessary to enable the Archives to meet its obligations in Section 31(1).

If records are located
If records are located that match the application they should be transferred to the Team Leader Research Centre at the National Archives in Canberra. Please enclose a covering letter titled '**Temporary reference transfer for Section 40 Application**' and quote our **Access Application Job no. 2026/1023720.**

Our preference is to receive any records located in the format they were created. Please also include details of the Commonwealth Record Series and file number (control symbol).

If the record/s are digital copies or in a digital format, please contact me to discuss delivery options. Do not email digital records.

If the record/s contains any security classification markers, please contact me to discuss delivery options.

If no records are located, or they have been destroyed
If no records can be located in response to the application, please advise the National Archives of the details of the searches that were undertaken to locate the record for example:
- * Search terms used to locate relevant records in EDRMS systems
- * EDRMS and databases searched, and
- * The details of any physical control records searched e.g. index cards.

If records relevant to the application have been destroyed, please advise the
- * Records Authority number (or Administrative Functions Disposal Authorities (AFDA), Functional Records Disposal Authorities (FRDA), *General records authorities* (GRAs) *Records Disposal Authorities* (RDAs), *Records Disposal Schedules* (RDS, General Disposal Authorities and General Disposal Schedules (GDA/GDS))
- * the class the records were sentenced under, and
- * the date of destruction

If you have any questions regarding this request contact s 47F(1) on 6212 3990. For all email correspondence in relation to this request please send to: s 47E(d) @naa.gov.au

Thank you
Reference Transfers

s 47F(1) **(she/her)**
Team Leader Research Centre
Reference Strategy and Policy

t +61 02 6212 3990
es 47F(1) @naa.gov.au
Ngunnawal and Ngambri Country
Kings Avenue, Parkes ACT
PO Box 4924 Kingston ACT 2604 | **naa.gov.au**

National Archives of Australia acknowledges the Traditional Owners and Custodians of Country throughout Australia and acknowledges their continuing connection to land, sea and community. We pay our respects to the people, their cultures and Elders past, present and emerging.

OFFICIAL

IMPORTANT: This message, and any attachments to it, contains information that is confidential and may also be the subject of legal professional or other privilege. If you are not the intended recipient of this message, you must not review, copy, disseminate or disclose its contents to any other party or take action in reliance of any material contained within it. If you

have received this message in error, please notify the sender immediately by return email informing them of the mistake and delete all copies of the message from your computer system.

---

s 47F(1)

From: s 47F(1)
Sent: Monday, 7 September 2026 5:28 PM
To: s 47F(1)
Cc: s 47F(1)
Subject: RE: 2026/01023720 -- 1984//689 PART 1 [SEC=OFFICIAL]

OFFICIAL

Hi s 47F(1),

Thanks for your email. It has taken me a little while to investigate and pull together this response.

I have had a look at some of the transfer lists for A1209, that relate to the records you listed in your email.

A1209/12 contains 1981/860 Parts 1 to 10:

1/0860 Pt 1	Residual Constitutional Links and Fetters with the United Kingdom
s 22(1)	
Pt 8	As above
s 22(1)	

As you can see, there should only be 10 entries RecordSearch, not 11.

A1209/83 contains 1984/0689 Part 1

	84/0689 Pt. 1	Residual Constitutional Links and Fetters with the United Kingdom	S446 14.1.1 (a)

s 22(1)

AUSTRALIAN ARCHIVES

TRANSFER PROPOSAL PART 2
CONSIGNMENT LIST (descriptive)

Consignment (completed by Archives)

A1209/83

AGENCY TO COMPLETE REST OF THIS FORM

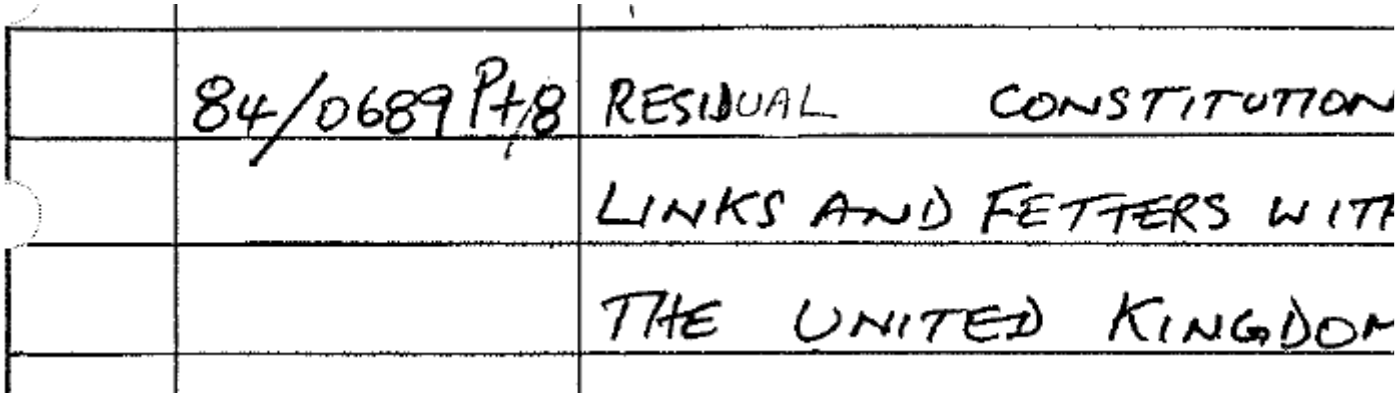
Name of agency transferring.

PM & C

Sheet 114 of 216 sheets

Box number	Item number or control symbol	Item title/description and date range	Disposal schedule and class
		s 22(1)	

And A1209/91, includes 1984/689 Part 8.



This matches the RecordSearch entries:

Item ID	Series	Control Symbol ↑	Title
12161300	A1209	1984/689 ATT	Residual Constitutional Links and Fetters with the
12161293	A1209	1984/689 PART 1	Residual Constitutional Links and Fetters with the
s 22(1)			
12504944	A1209	1984/689C PART 8	Residual Constitutional links and Fetters with the

It looks like 1984/689C Part 8 should probably be listed as 1984/689 Part 8.

Based on the information you provided *"Upon review of the record 1981/860C received as part of the Section 40 request, we note that the papers contained within the record range from February 1984 to June 1984 and the barcodes appears to have been relabelled at least twice*", I think this record is in fact 1984/689 Part 8. This record (3018285) is currently on referral to the Attorney General's Department.

12161293 is not linked to an archival container on a shelf in our repository, which also suggest that the metadata on RecordSearch is inaccurate.

Suggested next steps, are to amend item level descriptions as follows:
1. 3018285 is changed to 1984/689 Part 8 and the date range updated.
2. 12161293 is the correct registration, and not 12251943. This is the record currently on referral to you for advice.
3. The registration for 12251943 is cancelled, and the referral to you for advice is recorded against 12161293.

To sum up I think incorrect barcodes have been added to records and the descriptions on RecordSearch need updating.

We can update the loan for 12161293 and provide you with new a new lending sticker. We can also contact the applicant who lodged the NRF and explain description errors and lodge a new application.

Are you comfortable with the next steps?

I'd be very happy to meet and discuss this further.

Kind regards,

s 47F(1)

Director
Access Examination

t +61 02 6212 3617
e s 47F(1) @naa.gov.au
Ngunnawal and Ngambri Country
30 Vicars Street Mitchell ACT
PO Box 4924 Kingston ACT 2604 | **naa.gov.au**

National Archives of Australia acknowledges the Traditional Owners and Custodians of Country throughout Australia and acknowledges their continuing connection to land, sea and community. We pay our respects to the people, their cultures and Elders past, present and emerging.

Note: The email below in this chain is the same as the email dated 18.08.2026 at 3:21pm in Document 3. It is not being provided again because it is a duplicate.

OFFICIAL

s 47F(1)

From: s 47F(1)
Sent: Thursday, 8 October 2026 5:20 PM
To: s 47F(1)
Subject: FW: 2026/01023720 -- 1984//689 PART 1 [SEC=OFFICIAL]

Hi s 47F(1),

Can you please action the changes in the email below?

There is also a temp transfer application that will need to be closed and an application created for the correct record.

Thanks
s 47F(1)

From: s 47F(1) @pmc.gov.au>
Sent: Wednesday, 23 September 2026 2:03 PM
To: s 47F(1) @naa.gov.au>
Cc: s 47F(1) @pmc.gov.au>
Subject: RE: 2026/01023720 -- 1984//689 PART 1 [SEC=OFFICIAL]

Hi s 47F(1)

Thank you for investigating. We agree with the proposed next steps :

Amend item level descriptions as follows:
1. 3018285 is changed to 1984/689 Part 8 and the date range updated.
2. 12161293 is the correct registration, and not 12251943. This is the record currently on referral to you for advice.
3. The registration for 12251943 is cancelled, and the referral to you for advice is recorded against 12161293.

Many thanks,

s 47F(1) | Assistant Director
Information and Records Management | Information Management and Enterprise Applications
Department of the Prime Minister and Cabinet
p. (02) 6228 6922
I work on Bindal and Wulgurukaba Country



The Department of the Prime Minister and Cabinet (PM&C) would like to acknowledge the Traditional Custodians of Country throughout Australia and their continuing spiritual, social and cultural relationship with the land, waters, skies and community. We pay our respects to their Elders past and present, and to their community leaders, and extend that respect to all Aboriginal and Torres Strait Islander peoples.



Note: The 2 emails below in this chain are the same as the emails dated 18.08.2026 at 3:21pm and 07.09.2026 at 5:28pm in Documents 3 and 4 respectively. They are not being provided again because they are duplicates.

s 47F(1)

From: s 47F(1)
Sent: Monday, 7 September 2026 5:30 PM
To: s 47F(1)
Cc:
Subject: FW: 2026/01023720 -- 1984//689 PART 1 [SEC=OFFICIAL]

OFFICIAL

Hi s 47F(1),

Please see the email exchange below.

When you are back from leave can you please organise a meeting with Reference Services to discuss how we undertake the next steps?

Thanks
s 47F(1)

OFFICIAL