

# Office of the State Archivist

## IMPLEMENTATION TOOL

# Identifying Recordkeeping Requirements in Legislation

## INTRODUCTION

Identification of recordkeeping requirements in legislation is also known as legislative mapping.

All government agencies have legislative requirements. Many also have regulatory functions. This tool helps identify phrases in legislation that indicate a requirement for a record to be created, captured, managed, made available, or destroyed and may also indicate how long these records need to be kept. Your legislative mapping is a useful document of government business.

## BENEFITS OF LEGISLATIVE MAPPING

Legislative mapping has several benefits. It can support development of:

- Disposal Schedules
- Information Asset Registers
- Information Classification Schemes
- User Access Permissions.

In addition, it can assist projects such as system decommissioning or migration. For example, if legislation requires long term retention of records then your decommissioning plan needs to account for long term access requirements.

Your legislative mapping can be submitted to the Office of the State Archivist to help us when reviewing your disposal schedule or developing a new one.

Legislative mapping is part of the appraisal process. Appraisal is essential to identify records that have value as State archives and for setting the retention periods for all other records, to ensure that information is kept as long as it is required.

***These words in legislation may indicate a recordkeeping requirement:***

agenda	endorsed	notice	register
agreement	file note	notification	report
application	information	order	return
bill	instructions	papers	signature
book	licence	permit	writing
data	log	receipt	
document	minutes	record	

<b><i>Examples of key phrases in legislation</i></b>	<b><i>The recordkeeping requirement</i></b>
‘must be in writing’	A record must be created
‘give written notice’	Information must be supplied in a form that can be kept as a record
‘kept in electronic form’	Prescribed format of record
‘supporting documents’	Additional or background information must be provided
‘there shall be a register of licences’	The register is a record where licences must be captured
‘the form must include the applicant’s name and date of birth’	Specific content information
‘applications must be lodged using an official form’	The record must be in a specified, authorised format
‘the Registrar must keep all approved applications for a period of seven years from...’	The record retention period is specified
‘the Registrar must destroy all unsuccessful applications one year after the date of their lodgement’	The record must be destroyed after a certain amount of time
‘the register must be open for inspection by the public’	Access must be provided to the record
‘applications must be stored in such a way as to keep their contents private’	Access to the record must be restricted

### DISCLAIMER

You understand your business risks best, and therefore this tool offers general guidance only.

### ACKNOWLEDGEMENTS

This tool is based on the following, now withdrawn Tasmanian Archive and Heritage Office publication:

- *Checklist: How to Identify Recordkeeping Requirements in Legislation.*

### FURTHER INFORMATION

[Federal Register of Legislation](#)

[Tasmanian Legislation](#)

## CONTACT US

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*Identifying Recordkeeping Requirements in Legislation* is part of the *Tasmanian Government Information Management Framework*. It supports the *Appraisal Statement for State records required as State Archives* and the *Information and Records Management Standard*. This is a living document and we will make minor changes as needed. If you notice anything that needs updating, please let us know.



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### Document Development History

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Version	Date	Comments
1	28/09/2020	Initial release

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