

## INSTRUMENT OF DELEGATION

### INSTRUMENT OF DELEGATION UNDER THE STATE RECORDS ACT 1997

14 NOVEMBER 2023

### Delegation Sources

- State Records Act 1997

#### Positions

Abbreviation	Position
CEO	Chief Executive Officer
DCCS	Director Corporate & Community Services

## Instrument of Delegation under the State Records Act 1997

State Records Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 13	Maintain official records in the council's custody in good order and condition	CEO, DCCS		agency
section 15(2)	Afford the manager of State records reasonable cooperation and assistance in conducting surveys of the official records and record management practices of agencies	CEO, DCCS		agency
section 18(1)	Deliver records voluntarily into the custody of State Records	CEO, DCCS		agency
section 19(1)	Deliver records into the custody of State Records on the earlier of the council ceasing to require access to the record for current administrative purposes or during the year occurring 15 years after the creation of the record	CEO, DCCS		agency
section 19(3)(c)	Participate in consultation with the Manager of State Records in regard to the postponement of delivery of records into the custody of State Records on the	CEO, DCCS		agency

State Records Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	basis that the records are required for the administrative purpose of the council or should be retained by the council for another special reason			
section 19(5)(a)	Apply to the Manager of State Records for the variation or revocation of an exemption granted under section 19(4)	CEO, DCCS		agency
section 20(1)	Advise the Manager of State Records of any restriction on the disclosure of contents of a record delivered into the custody of State Records	CEO, DCCS		agency
section 22(2)	Determine conditions reasonably required in regard to an arrangement under section 22(1)	CEO, DCCS		agency
section 23(1)	Dispose of official records in accordance with a determination of the Manager of State Records	CEO, DCCS		agency
section 23(2)	Request the Manager of State Records to make a determination as to the disposal of official records	CEO, DCCS		agency

State Records Act 1997				
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section 23(4)	Apply to the Minister to determine a dispute as to a determination under section 23	CEO, DCCS		agency
section 24(3)	Consent to the disposal of a record under section 24(1)	CEO, DCCS		agency
section 25(3)	Apply to the Minister to determine a dispute as to access under section 24	CEO, DCCS		agency
section 26(1)	Determine in consultation with the Manager of State Records that access to a record delivered by the council into the custody of State Records is not subject to any restrictions other than those determined by the Manager	CEO, DCCS		agency
section 26(2)	Determine in consultation with the Manager of State Records conditions excluding or restricting access to the record delivered by the council into the custody of State Records	CEO, DCCS		agency

**Document history and version control**

Date	Council/Chief Executive Officer	Comment
14/11/2023	Reviewed and adopted at 14 November 2023 Special Council meeting	