

## **SA Instrument of Delegation under the State Records Act 1997**

### **Preamble**

### **Delegation Sources**

- State Records Act 1997

### **Titles**

- Chief Executive Officer:- Tony Siviour
- Director Corporate & Community Services:- Tim Pfeiffer

## SA Instrument of Delegation under the State Records Act 1997

State Records Act 1997			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 15(2)	1. Surveys of Official Records and Record Management 1.1 The power pursuant to Section 15(2) of the State Records Act 1997 (the Act) to, afford the Manager reasonable cooperation and assistance in the conduct of a survey under Section 15 of the Act.	Chief Executive Officer	
s 18(1)	2. Voluntary Transfer to State Records' Custody 2.1 The power pursuant to Section 18(1) of the Act to, subject to Section 18(2) of the Act, deliver any of the Council's records into the custody of State Records.	Chief Executive Officer	
s 19(1)	3. Mandatory Transfer to State Records' Custody 3.1 The power pursuant to and subject to Section 19(1) of the Act, to deliver an official record of the Council into the custody of State Records (unless sooner delivered to State Records) or dispose of an official record of the Council in accordance with this Act): 3.1.1 when the Council ceases to require access to the record for current administrative purposes; or 3.1.2 during the year occurring 15 years after the record came into existence, whichever first occurs.	Chief Executive Officer	
s 19(3)	3. Mandatory Transfer to State Records' Custody 3.2 The power pursuant to and subject to Section 19(3) of the Act, to postpone the delivery of records into the custody of State Records: 3.2.1 in accordance with record management standards issued by the Manager; or 3.2.2 with the Manager's approval, in cases where the Manager is satisfied (after consultation with the Council) that the records are further required for current administrative purposes or should be retained for any other special reason.	Chief Executive Officer	
s 19(3)(c)	3. Mandatory Transfer to State Records' Custody 3.3 The power pursuant to Section 19(3)(c) of the Act, to make submissions to the Manager for the delivery of records into the custody of State Records to be postponed.	Director Corporate & Community Services	
s 19(5)	3. Mandatory Transfer to State Records' Custody 3.4 The power pursuant to Section 19(5) of the Act, to apply to the Manager for an exemption granted under Section 19(4) of the Act to be varied or revoked.	Director Corporate & Community Services	
s 22(2)	4. Keeping of Official Records in Premises Other than State Records' Premises 4.1 The power pursuant to Section 22(2) of the Act, to require an arrangement under Section 22(1) of the Act to be subject to such conditions as the Delegate may reasonably require.	Director Corporate & Community Services	

<b>State Records Act 1997</b>			
s 23(1)	5. Disposal of Official Records by Agency 5.1 The power pursuant to Section 23(1) of the Act, to dispose of official records in accordance with a determination made by the Manager with the approval of the State Records Council.	Chief Executive Officer	
s 23(2)	5. Disposal of Official Records by Agency 5.2 The power pursuant to Section 23(2) of the Act, to request the Manager make a determination as to the disposal of official records.	Director Corporate & Community Services	
s 23(4)	5. Disposal of Official Records by Agency 5.3 The power pursuant to Section 23(4) of the Act, if there is a dispute as to a determination under Section 23 of the Act to make an application to the Minister to determine the matter.	Chief Executive Officer	
s 24(3)	6. Disposal of Official Records by Manager 6.1 The power pursuant to Section 24(3) of the Act, to consent and make submissions to the Minister in relation to the disposal of a record under Section 24(1) of the Act.	Director Corporate & Community Services	
s 25(1)	7. Agency's Access to Records in Custody of State Records 7.1 The power pursuant to Section 25(1) of the Act, to have such access to, and make or direct such use of as the Delegate requires, official records in the custody of State Records for which the Council is responsible.	Director Corporate & Community Services	
s 25(3)	7. Agency's Access to Records in Custody of State Records 7.2 The power pursuant to Section 25(3) of the Act, if there is a dispute as to access under Section 25 of the Act, to make an application to the Minister to determine the matter.	Chief Executive Officer	
s 26(1)	8. Public Access to Records in Custody of State Records 8.1 The power pursuant to Section 26(1) of the Act, in relation to official records in the custody of State Records for which the Council is responsible, to, in consultation with the Manager: 8.1.1 determine that access to the record (other than by the Council) is not subject to any restrictions other than those determined by the Manager under Section 26(2) of the Act; or 8.1.2 determine conditions excluding or restricting access to the record.	Director Corporate & Community Services	

### Document history and version control

<b>Date</b>	<b>Council/Chief Executive Officer</b>	<b>Comment</b>
26 May 2020	Annual review adopted at 26 May 2020 Ordinary Council meeting	