



STATE RECORDS COMMISSION

SRC Standard 4

RESTRICTED ACCESS ARCHIVES

A Record Keeping Standard For State Organizations

**State Records Commission of WA
Perth, Western Australia
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SRC Standard 4 – Restricted Access Archives

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DEFINITIONS

Government organization – is an organization listed in Schedule 1 or Schedule 3 of the State Records Act 2000.

Government record – is a record created or received by a government organization or a government organization employee or contractor in the course of the work for the organization.

Parliamentary record – is a record created or received by a parliamentary department or a person in the course of their work for the department, whether the person is employed under a contract of service or is engaged under a contract for services or otherwise.

Record – means any record of information however recorded and includes:

- a) any thing on which there is writing or Braille;
- b) a map, plan, diagram or graph;
- c) a drawing, pictorial or graphic work, or photograph;
- d) any thing on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them;
- e) any thing from which images, sounds or writings can be reproduced with or without the aid of anything else; and
- f) any thing on which information has been stored or recorded, either mechanically, magnetically, or electronically.

Record keeping plan – is the plan required under Parts 2 and 3 of the State Records Act 2000. State Records Commission Standard 2 provides details about the plan.

Restricted access archive – is a State archive that is a government record and to which access is restricted until it is of a certain age.

State archive – is a State record that is to be retained permanently.

State organization – is a parliamentary department or a government organization.

State record – is a parliamentary record or a government record.

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PURPOSE

The purpose of this Standard, established under Section 61(1)(d) of the State Records Act 2000, is to ensure that the implications of restricted access provisions of the Act are clearly identified and implemented.

BACKGROUND

Many State archives contain sensitive information. That information may be of a personal nature, have commercial significance, or may include culturally sensitive information. Section 3 of the Act defines a restricted access archive as ...“a State archive that is a government record and to which access is restricted until it is of a certain age”.

The Act requires all government organizations to identify restricted access archives in their record keeping plans and recommend when those records will cease to be restricted. The Commission may approve or not approve these recommendations. If the recommendations are upheld the Commission is required to determine the restricted access period and review these restrictions every five (5) years.

SCOPE

The principles and minimum requirements of this Standard apply to all Government organizations.

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Principle 1 – Identification of a Restricted Access Archive

State organizations must ensure that restricted access archives are identified in record keeping plans.

Rationale

The record keeping plan must identify those State archives that are to be restricted access archives. The State Records Commission will authorize access recommendations before it ratifies the plan. An organization can apply at any time for the access restriction to be varied. All determinations by the Commission are to be reviewed within five (5) years.

Minimum Compliance Requirements

A government organization must provide evidence that:

- a considered appraisal process has been undertaken to identify State archives to be the subject of a restriction;
- the creating organization of those archives is identified;
- the reasons for restriction are documented;
- the proposed open access date is documented;
- the access restriction is total or conditional; and
- a formal application process to enable public access is in place *.

** In terms of the State Records Act 2000, the application is made under the Freedom of Information Act 1992 (Section 46 of the State Records Act 2000 refers).*

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Principle 2 –Open Access Archives

State archives must be open for public inspection at some point in their life.

Rationale

The spirit of the State Records Act 2000 is to facilitate open access to State archives by the community unless special conditions apply. In general, government organizations may transfer State archives to the State archives collection at any time. State Records Commission Standard 5 provides details about transfer of State archives to the State archives collection. Once in the State archives collection, those records are available for public inspection subject to Section 37 of the Act.

State archives still in the custody of a government organization after twenty-five (25) years are open to the public, unless the record keeping plan of the government organization that has control of them says otherwise.

Minimum Compliance Requirements

Government organizations must provide evidence that:

1. State archives which are subject to a restriction are identified, and that the Commission's authorization is readily available.
2. A mechanism is in place to ensure that restrictions are referred to the Commission for review at least every five (5) years.
3. Where a State archive is more than twenty-five (25) years old, is an open access archive and remains in the custody of the responsible organization, the organization has a mechanism in place for the public to have access to the archive.

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