



Public Record Office Standard

PROS 08/09

# Authority

## Retention and Disposal Authority for Records of the Essential Services Function

Version 2018

08/09

Issue Date: 10/10/2008

Expiry Date: 10/10/2018

Variation 1

Issue Date: 19/11/2018

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# Public Records Act 1973

(Section 12)

## Retention and Disposal Authority for Records of the Essential Services Function

### Public Record Office Standard (PROS) 08/09

#### Variation 1:

In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to the Retention and Disposal Authority for Records of the Essential Services Function, issued as Public Record Office Standard (PROS) 08/09 on 10/10/2008, as follows:

#### **Extend the application of this Standard until varied or revoked**

This Variation shall have effect from its date of issue.

[signed]

Justine Heazlewood

Date: 19/11/2018

**Director and Keeper of Public Records**

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Under section 12 of the *Public Records Act 1973*, the Keeper of Public Records is responsible for the establishment of standards for the efficient management of public records and for assisting public offices to apply those standards to records under their control. Officers in charge of public offices are responsible under section 13 of the Act for carrying out, with the advice and assistance of the Keeper, a program of records management in accordance with the standards established under section 12 of the Act.

# 1 Introduction

## 1.1 Purpose of this Authority

The purpose of this Authority is to provide a mechanism for the disposal of public records in accordance with the *Public Records Act 1973*.

The Authority:

- identifies records which are worth preserving permanently as part of Victoria's archival heritage
- prevents the premature destruction of records which need to be retained for a specified period to satisfy legal, financial and other requirements of public administration, and
- authorises the destruction of those records not required permanently.

## 1.2 Context of this Authority

### 1.2.1 Public Record Office Victoria Standards

This Authority should be used in conjunction with the standards issued by the Keeper of Public Records under section 12 of the *Public Records Act 1973*. Copies of all relevant PROV standards, specifications and regulatory advice can be downloaded from [www.prov.vic.gov.au](http://www.prov.vic.gov.au). These documents set out the procedures that must be followed by Victorian public offices.

### 1.2.2 Disposal of records identified in the Authority

Disposal of public records identified in this Authority must also be in accordance with the requirements of Public Record Office Standard PROS 10/13 *Disposal*.

### 1.2.3 Transfer of records to Public Record Office Victoria

Contact Public Record Office Victoria for further information on procedures for transferring permanent records to archival custody.

### 1.2.4 The *Crimes (Document Destruction) Act 2006*

It is an offence under the *Crimes (Document Destruction) Act 2006* for individuals or organisations to destroy documents that they know are reasonably likely to be required in a future legal proceeding, with the intention of keeping the documents out of evidence. Destroying records however in accordance with a valid Authority is lawful as long as the requirements under the *Crimes (Document Destruction) Act 2006* are met.

PROV strongly advises that all agencies familiarise themselves with the requirements under the *Crimes (Document Destruction) Act 2006* and *Evidence (Document Unavailability) Act 2006*, and PROV Advice to Agencies 18: *Crimes (Document Destruction) Act 2006: Implications for government recordkeeping*.

### 1.2.5 Normal Administrative Practice

The destruction of some public records is permitted without final authorisation under normal administrative practice (NAP). NAP covers the destruction of ephemeral material of a facilitative nature created, acquired or collected by public officers during the course of their duties.

The following material may be destroyed under NAP:

- working papers consisting of rough notes and calculations used solely to assist in the preparation of other records such as correspondence, reports and statistical tabulations
- drafts not intended for retention as part of the office's records, the content of which has been reproduced and incorporated in the public office's record keeping system
- extra copies of documents and published material preserved solely for reference.

## 1.3 Use of Other Authorities

In applying the disposal sentences set out in this Authority, reference should be made to other current Authorities where applicable. Where there is a conflict between two Authorities (for instance this Authority and the General Retention and Disposal Authority for Records of Common Administrative Functions), consult the Public Record Office Victoria for advice.

## 1.4 Explanation of Authority Headings

### **CLASS NUMBER**

The class number or entry reference number provides citation and ease of reference.

### **DESCRIPTION**

The description of each record class is specified in this entry. A record class is a group of records that relate to the same activity, function or subject and require the same disposal action.

### **STATUS**

This entry provides the archival status of each class - either permanent or temporary.

### **CUSTODY**

This entry specifies whether the records are to be retained by the public office or transferred to the Public Record Office Victoria.

Permanent electronic records are to be transferred in VERS Encapsulated Object (VEO) format according to PROS 99/007 *Management of Electronic Records* (Version 2).

The storage of public records identified in this Authority must also be in accordance with the requirements of Public Record Office Standard PROS 11/01 *Storage*.

## 2 Concurrence of Public Office

This Authority has the concurrence of:

Signature: [Signed]

Name: P.F.Fearon

Date: 6/10/2008

Position: CEO

## 3 Establishment of Standard

Pursuant to Section 12 of the *Public Records Act* 1973, I hereby establish these provisions as a Standard (also known as a Retention and Disposal Authority) applying to the records of the Essential Services Function.

This standard as varied or amended from time to time, shall have effect for a period of ten (10) years from the date of issue unless revoked prior to that date.

[Signed]

**Justine Heazlewood**

Date of Issue: 10/10/2008

**Director & Keeper of Public Records**

## 4 Acknowledgments

PROV would like to thank the following people for providing their knowledge and expertise and helping to create this Authority:

**John Henry**

**Joanne Borg**

## 5 Further Information

You can obtain relevant publications, supplies of relevant forms, and answers to any enquiries you may have by first contacting your agency's records manager or the Public Record Office Victoria:

Public Record Office Victoria



(03) 9348 5600

e-mail: [agency.queries@prov.vic.gov.au](mailto:agency.queries@prov.vic.gov.au)

web: [www.prov.vic.gov.au](http://www.prov.vic.gov.au)

## 6 Retention & Disposal Authority

### Table of Functions

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For meetings of the Commission, use the General Retention and Disposal Authority for Records of Common Administrative Functions.

For Advice to Ministers of the Victorian Government, use the General Retention and Disposal Authority for Records of Common Administrative Functions.

For the management of enquiries, use the General Retention and Disposal Authority for Records of Common Administrative Functions.

For the development of publications and guidelines, use the General Retention and Disposal Authority for Records of Common Administrative Functions.

For financial activities, use the General Retention and Disposal Authority for Records of Common Administrative Functions.



Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
<b>1.0.0</b>	<p><b>INDUSTRY REGULATION</b></p> <p>The regulation of industries providing essential services in Victoria. Essential services are those considered vital to the running of the State and the needs of consumers such as electricity, gas, ports, rail and the supply of grain.</p> <p>The aim of regulating essential services is to:</p> <ul style="list-style-type: none"> <li>- protect the long-term interests of Victorian consumers with regard to their price, quality and reliability, and</li> <li>- develop and review the frameworks that govern a regulated industry.</li> </ul>		
<b>1.1.0</b>	<p><b>Regulatory Framework Development</b></p> <p>The development of regulatory frameworks for industries which specify how an industry will be regulated and which explain why a particular scheme or regime has been adopted for that industry.</p> <p>Includes the development of frameworks relating to licensing, market behaviour, dispute resolution, performance reporting and monitoring that sets customer related standards and conditions of service. Includes frameworks relating to the regulation of prices including prescribing methodologies for how prices are calculated.</p>		

<b>Retention &amp; Disposal Authority</b>			
<b>CLASS NO.</b>	<b>DESCRIPTION</b>	<b>DISPOSAL ACTION</b>	
		<b>STATUS</b>	<b>CUSTODY</b>
<b>1.1.1</b>	<p><b>Regulatory Frameworks</b></p> <p>Records documenting the development of regulatory frameworks for Victorian industries, including records of the consultation process. Includes Commission instruments, rules, standards, guidelines, codes and other records which support regulatory frameworks and explain how a regulatory scheme will be implemented or how to ensure it operates efficiently and effectively.</p> <p>Also includes the development of consultation papers, exposure drafts and submissions from stakeholders.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic records are to be transferred in VEO format.</p>
<b>1.2.0</b>	<p><b>Management of Regulation Reviews</b></p> <p>The management of reviews and inquiries established to determine the effectiveness of existing methods of regulation or whether infrastructure, services and prices should continue to be regulated.</p>		
<b>1.2.1</b>	<p><b>Regulation Reviews</b></p> <p>Records documenting reviews of regulation. Includes:</p> <ul style="list-style-type: none"> <li>- reviews which evaluate approaches to regulation in the future,</li> <li>- reviews by the Commission into any proposed regulatory Governor in Council Orders, and any</li> <li>- Inquiries requested by the responsible Minister.</li> </ul> <p>Includes records which establish the review, terms of reference and records of the consultation processes including stakeholder submissions, exposure drafts and minutes of public forums. Also includes reports, including special reports to the responsible Minister.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic records are to be transferred in VEO format.</p>

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
<b>2.0.0</b>	<p><b>Compliance</b></p> <p>The assessment of compliance of entities operating in a regulated industry against regulatory frameworks.</p> <p>Includes processes that monitor the performance of regulated entities such as Inquiries, audits and reviews relating to the general performance of regulated entities and into specific issues and events.</p> <p>Also includes the administration of licensing for industries, the approval of industry policies, consumption and service charges and of access arrangements between providers of regulated goods, services or infrastructure (access providers) and those seeking to access or use the goods, services or infrastructure (access seekers). Also includes dispute resolution between access providers and access seekers.</p>		
<b>2.1.0</b>	<p><b>Licensing and Exemptions</b></p> <p>The management of the licensing process for regulated entities. Includes the assessment and determination of applications from regulated entities for exemptions from having to be licensed.</p> <p><i>[For licence frameworks, see 1.1.0]</i></p> <p><i>[For investigations into licence breaches, see 2.5.0]</i></p>		
<b>2.1.1</b>	<p><b>Successful Licensing and Exemption Applications</b></p> <p>Records documenting successful applications for licenses and licensing exemptions for regulated entities. Includes the assessment of applications and any records submitted in support of the application, the final decision and any conditions that are attached to the licence as well as the variation, transfer, renewal or revocation of any license.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic records are to be transferred in VEO format.</p>

<b>Retention &amp; Disposal Authority</b>			
<b>CLASS NO.</b>	<b>DESCRIPTION</b>	<b>DISPOSAL ACTION</b>	
		<b>STATUS</b>	<b>CUSTODY</b>
<b>2.1.2</b>	<p><b>Unsuccessful License and Exemption Applications</b></p> <p>Applications for licensing or for exemptions from having to be licensed that are unsuccessful.</p> <p>Includes applications, submissions, briefs and the final decision.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after date of decision.</p>	<p>Hold in agency or APPROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
<b>2.1.3</b>	<p><b>Determination of License Fees</b></p> <p>Records that detail the Commission determination of license fees that regulated entities are required to pay to the Commission.</p> <p>Includes the receipt of submissions.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after fees superseded.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
<b>2.2.0</b>	<p><b>Commission Reviews</b></p> <p>The management of reviews associated with evaluating and approving any arrangements, schemes or prices and charges proposed by regulated entities. Also includes reviews that are referred to the Commission by the responsible Minister relating to the approval of premiums or amendments to charges.</p>		
<b>2.2.1</b>	<p><b>Approval of Policies and Schemes</b></p> <p>Records documenting the approval of any regulated entity's policies or schemes as required by legislation or Governor in Council Order, such as hardship policies. Includes the consultation processes associated with any approval.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic Records are to be transferred in VEO format.</p>

<b>Retention &amp; Disposal Authority</b>			
<b>CLASS NO.</b>	<b>DESCRIPTION</b>	<b>DISPOSAL ACTION</b>	
		<b>STATUS</b>	<b>CUSTODY</b>
<b>2.2.2</b>	<p><b>Price Reviews – Final Decision</b></p> <p>Records documenting the final decision and documents supporting the final decision for price reviews that involve the Commission approving any prices, tariffs and charges that entities want to charge over a period. Includes records documenting the final decision to amend prices, allowing entities to pass on costs to consumers incurred in the installation of infrastructure that improves services or reliability.</p> <p>Also includes the policy which governs reviews, the records of the conduct of reviews that approve methodologies, the terms and conditions under which regulated entities may adjust their prices over time, issue papers, reports, submissions, exposure drafts and any other documents which support the final decision.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic Records are to be transferred in VEO format.</p>
<b>2.2.3</b>	<p><b>Price Reviews – Consultation Processes</b></p> <p>Records documenting and managing the consultation processes related to any price review or application from entities to pass on costs to consumers incurred in the installation of infrastructure.</p>	<p><b>Temporary</b></p> <p>Destroy 10 years after completion of review.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
<b>2.2.4</b>	<p><b>Annual Network Tariff Approvals</b></p> <p>Records detailing the approval of annual network tariffs that entities want to charge, which are submitted in compliance with the terms and conditions of a price review.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after approval period concludes.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.2.5	<p><b>Ministerial Reviews to Approve Premiums and Charges</b></p> <p>Reviews commissioned by the responsible Minister of premiums or proposed charges under any act which requires the Commission to review. Includes reviews under the <i>Accident Compensation (Workcover Insurance) Act 1993</i>, the <i>Transport Accident Act 1988</i> and the <i>Transport Act 1983</i>.</p> <p>Includes records of the consultation process and any special reports required by the Minister.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic Records are to be transferred in VEO format.</p>
2.2.6	<p><b>Access Regimes - Approved</b></p> <p>Records documenting the assessment and approval of access regimes submitted by the providers of regulated goods, services or infrastructure. Access regimes document the terms of access to, or use of goods, services or infrastructure by those seeking access (known as access seekers).</p> <p><i>[For the resolution of access disputes, see 2.7.0]</i></p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic records are to be transferred in VEO format.</p>
2.2.7	<p><b>Approved Access Regimes – Consultation Processes</b></p> <p>Records documenting and managing the consultation processes related to any assessment and approval of access regimes.</p>	<p><b>Temporary</b></p> <p>Destroy 10 years after date of decision.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
2.2.8	<p><b>Access Regimes – Not Approved</b></p> <p>Records documenting the assessment of access regimes submitted by the providers of regulated infrastructure, goods or services which are not approved. Includes records of the consultation processes associated with any application.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after date of decision.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.2.9	<p><b>Commission Decisions - Community Services Agreements</b></p> <p>Records informing Commission decisions about the terms and conditions of community services agreements between retailers and the government. These agreements compel retailers to supply services to classes of domestic customers at terms specified by the Department of Human Services (DHS). Includes records of the consultation processes associated with any decision.</p>	<p><b>Temporary</b></p> <p>Destroy 10 years after agreement expires.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
2.3.0	<p><b>Monitoring Performance and Compliance</b></p> <p>Activities performed to monitor and measure the compliance of regulated entities with existing regulation. Includes the holding of Inquiries and reviews and the development of annual monitoring reports.</p>		
2.3.1	<p><b>Performance and Compliance Inquiries and Reviews – Final Report</b></p> <p>The final report documenting Inquiries and reviews by the Commission into the general performance and compliance of regulated entities. Also includes reviews as directed by the responsible Minister on the performance and compliance of regulated entities concerning single issues and events or of any systemic reliability or supply issues concerning a regulated industry under the <i>Essential Services Commission Act 2001</i>.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic records are to be transferred in VEO format.</p>
2.3.2	<p><b>Performance and Compliance Inquiries and Reviews – Consultation Processes</b></p> <p>Records documenting the consultation processes for performance and compliance Inquiries and reviews. Includes issue and consultation papers, stakeholder submissions, the holding of public forums and exposure drafts.</p>	<p><b>Temporary</b></p> <p>Destroy 10 years after release of final report.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.3.3	<p><b>Annual Performance and Compliance Monitoring Reports</b></p> <p>The development of annual compliance and performance monitoring reports that assess the yearly performance of regulated entities, evaluate trends and evaluate the compliance of an industry with regulation.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic records are to be transferred in VEO format.</p>
2.3.4	<p><b>Annual Performance and Compliance Data</b></p> <p>The receipt of key performance indicator data by regulated entities. This information is used to assess the performance and compliance of a regulated entity as recorded in Annual Performance and Compliance Monitoring Reports.</p> <p><i>[For Annual Performance and Compliance Monitoring Reports, see 2.3.3]</i></p>	<p><b>Temporary</b></p> <p>Destroy 7 years after report approved.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
2.3.5	<p><b>Inputs into Performance and Compliance Monitoring Reports</b></p> <p>Records that support the development of performance and compliance monitoring reports. Includes fact confirmations and correspondence with entities relating to any statements about them.</p>	<p><b>Temporary</b></p> <p>Destroy when administrative use concluded.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
2.3.6	<p><b>Entity Regulatory and Compliance Audit Processes</b></p> <p>Records documenting the management of entity regulatory and compliance audit processes. Includes the scoping by the Commission of what must be audited, the approval of the independent audits submitted by each entity, the receipt of audit reports from regulated entities and evaluation of audit report contents.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after completion of audit.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>



<b>Retention &amp; Disposal Authority</b>			
<b>CLASS NO.</b>	<b>DESCRIPTION</b>	<b>DISPOSAL ACTION</b>	
		<b>STATUS</b>	<b>CUSTODY</b>
<b>2.3.7</b>	<b>Assessment of Regulatory Accounts</b> The receipt and assessment of entity regulatory accounts.	<b>Temporary</b> Destroy 7 years after the date of assessment	Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.
<b>2.4.0</b>	<b>Enforcement</b> The enforcement of Commission determinations or the conditions of licences, including the preparation for any Commission appearances in court if a regulated entity appeals against a determination or licence condition.		
<b>2.4.1</b>	<b>Enforcement of Commission Determinations</b> Records documenting the making of Enforcement Orders against regulated entities that, in the opinion of the Commission, have or are likely to contravene a determination as set out in the governing legislation or the relevant empowering Governor in Council Order for the industry or the conditions of a licence or a code of practice.  Includes the making of provisional orders, the consideration of submissions and evidence and the final decision. Also includes any applications to the Supreme Court for a declaration or injunction.	<b>Temporary</b> Destroy 10 years after date of decision.	Hold in agency or APROSS pending destruction. Electronic records are to be maintained in appropriate format pending destruction.
<b>2.4.2</b>	<b>Preparation for Appeal Panel or Court Appearances</b> The preparation for any Commission appearance at the Victorian Civil and Administrative Tribunal (VCAT) or in the Supreme Court for any appeal heard against Commission determinations and requirements.	<b>Temporary</b> Destroy 10 years after appeal concluded.	Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.

<b>Retention &amp; Disposal Authority</b>			
<b>CLASS NO.</b>	<b>DESCRIPTION</b>	<b>DISPOSAL ACTION</b>	
		<b>STATUS</b>	<b>CUSTODY</b>
<b>2.5.0</b>	<p><b>Entity Incidents and Breaches Investigation</b></p> <p>The investigation of reported incidents and breaches of Commission requirements, relevant legislation, codes and guidelines.</p> <p>Incidents and breaches are reported to the Commission by entities as required by regulatory arrangements or by other such as complaints from customers or reports in the media.</p>		
<b>2.5.1</b>	<p><b>Incidents and Breaches that Lead to Commission Action</b></p> <p>The investigation of incidents and breaches that result in the Commission taking action such as revoking an entity's license, appointing an administrator to run an entity or issuing a similar or equivalent penalty.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic records are to be transferred in VEO format.</p>
<b>2.5.2</b>	<p><b>Incidents and Breaches that do not lead to Commission Action</b></p> <p>The investigation of incidents and breaches that the Commission considers would have an impact on customers if non-compliance occurred but do not result in a penalty being imposed by the Commission. Includes investigations into multiple or systemic breaches by an entity where no penalty is imposed.</p> <p>Investigations are either conducted by the Commission or by the entity itself and findings are submitted to the Commission.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after investigation concluded.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.5.3	<p><b>Incidents and Breaches – Minor</b></p> <p>The investigation of incidents and breaches that the Commission considers would not have an impact on customers if non-compliance occurred. Includes incidents and breaches where the Commission considers that the entity has accurately identified the cause of the breach and is acting appropriately, such as failing to provide energy efficiency advice to customers.</p>	<p><b>Temporary</b></p> <p>Destroy 3 years after investigation concluded.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
2.5.4	<p><b>Incidents and Breaches – Administration</b></p> <p>Records documenting the administration of all investigations of incidents and breaches of all Commission requirements reported to the Commission.</p>	<p><b>Temporary</b></p> <p>Destroy 10 years after last action.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
2.6.0	<p><b>Exclusions from Regulatory Scheme Penalties</b></p> <p>The assessment of applications from regulated entities to be excluded from financial penalties that might result from supply interruptions or failure to meet guaranteed service levels.</p> <p>Includes applications from electricity distributors to exclude service interruptions from the supply reliability financial incentive schemes that rewards distributors for reliable service and punishes them for unreliable service.</p>		
2.6.1	<p><b>Applications for Exclusions From Penalties</b></p> <p>Applications from regulated entities to be excluded from the penalty provisions where supply reliability does not meet agreed targets due to extraordinary circumstances.</p> <p>Includes the application, supporting evidence and decision.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after date of decision.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.7.0	<p><b>Access Dispute Resolution</b></p> <p>Records relating to the resolution of disputes between the providers of regulated infrastructure, goods and services and those seeking access to these services.</p> <p><i>[For the approval of access regimes, see 2.2.6]</i></p>		
2.7.1	<p><b>Access Disputes – Final Decision</b></p> <p>Records documenting the final decision in relation to arbitrations and mediations held to resolve disputes between providers and those seeking access to regulated infrastructure, goods and services.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic Records are to be transferred in VEO format.</p>
2.7.2	<p><b>Access Disputes – Management</b> Records documenting the management of arbitrations and mediations held to resolve disputes between providers and those seeking access to regulated infrastructure, goods and services.</p> <p>Includes all records produced during the arbitration process other than the final decision, including submitted written material, records of hearings and draft decisions.</p>	<p><b>Temporary</b></p> <p>Destroy 10 years after date of decision.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
<b>3.0.0</b>	<p><b>Energy Target Scheme Management</b></p> <p>The management of energy target schemes that aim to promote renewable or other environmentally friendly forms of energy or energy efficient products.</p> <p>Includes schemes which impose legal liabilities on organisations to support forms of energy through having to meet targets such as the Victorian Renewable Energy Target (VRET) and the Victorian Energy Efficiency Target (VEET).</p>		
<b>3.1.0</b>	<p><b>Scheme Governance</b></p> <p>The development of rules, codes and guidelines to govern energy target schemes.</p>		
<b>3.1.1</b>	<p><b>Rules, Codes and Guidelines</b></p> <p>The development of rules, codes and guidelines to govern energy target schemes. Includes any codes and guidelines that set out prescribed activities for the creation of scheme certificates.</p> <p>Includes records detailing consultation processes including consultation papers, exposure drafts and submissions from stakeholders.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic records are transferred in VEO format.</p>
<b>3.2.0</b>	<p><b>Accreditation and Registration</b></p> <p>The management of energy target scheme accreditation and registration. Includes the investigation of non compliance with registration and accreditation conditions.</p>		
<b>3.2.1</b>	<p><b>Energy Target Schemes – Summary Management</b></p> <p>Summary registers documenting the management of energy target schemes. Includes the details of all registered and accredited persons and accredited power stations, renewable energy and energy efficiency certificates and any other information required by the legislation, codes and rules that govern energy target schemes.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after the scheme concludes.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>

<b>Retention &amp; Disposal Authority</b>			
<b>CLASS NO.</b>	<b>DESCRIPTION</b>	<b>DISPOSAL ACTION</b>	
		<b>STATUS</b>	<b>CUSTODY</b>
<b>3.2.2</b>	<p><b>Accreditation and Registration of Persons</b></p> <p>Records documenting the registration and accreditation of persons participating in energy target schemes through their employment. Includes the application and supporting evidence including any undertakings required by the Commission and the final decision.</p> <p>Also includes records of any investigations concerning registered persons in relation to possible offences and any subsequent suspension or deregistration as a result of the investigation.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after scheme concludes.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
<b>3.2.3</b>	<p><b>Accreditation of Power Stations</b></p> <p>Records relating to the accreditation of power stations, including provisional accreditation for power stations not yet assembled. Includes the application and supporting evidence including any undertakings required by the Commission and the final decision.</p> <p>Includes applications to change the nominated person for power stations.</p> <p>Also includes any investigations concerning accredited power stations in relation to possible offences and any suspension and de-accreditation processes following an investigation.</p>	<p><b>Permanent</b></p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic Records are to be transferred in VEO format.</p>
<b>3.3.0</b>	<p><b>Management of Certificates</b></p> <p>The management of virtual energy scheme certificates which are created when a prescribed scheme activity takes place such as the generation of electricity from renewable sources or purchase of energy efficient goods. The number of certificates that can be created depends on the level and frequency with which the activity takes place and under these schemes, certain entities are required to purchase certificates to meet their legislatively mandated yearly target.</p> <p>Includes the receipt of Electricity Generation Returns from accredited power stations, the surrendering of certificates to the Commission in order to meet their scheme liability and the voluntary surrender of</p>		

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	certificates not associated with meeting a target. Also includes reporting about the schemes to the Commission.		
3.3.1	<p><b>Creation and Transfer of Certificates</b></p> <p>Records documenting the creation and registration of energy target scheme certificates. Also includes the registration of all transfers of certificates.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after scheme concludes.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
3.3.2	<p><b>Scheme Reporting</b></p> <p>Reports and statements lodged with the Commission documenting the annual scheme activity that has taken place and the amount of certificates that an organisation has acquired.</p> <p>Includes audited Electricity Generation Returns that set out:</p> <ul style="list-style-type: none"> <li>- the amount of electricity generated by an accredited power station in the previous year;</li> <li>- the amount of electricity that was generated using renewable energy sources, and</li> <li>- the number of certificates created by the power station during the previous year.</li> </ul> <p>Includes the lodgment of reports and statements associated with the surrender of certificates by an organisation to meet their annual certificate target and records documenting the voluntary surrender of certificates including the reasons why the certificates are being surrendered.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after date of return.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>

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<b>3.4.0</b>	<b>Monitoring Scheme Compliance</b> The monitoring activities aimed at ensuring compliance with scheme rules and guidelines. Includes the conduct of scheme audits, the appointment of Authorised Officers to monitor compliance and the obtaining of Monitoring Warrants to allow Authorised Officers to enter and search premises.		
<b>3.4.1</b>	<b>Scheme Audits</b> Records documenting the conduct of routine audits on organisations as part of the administration of energy target schemes. Audits assess the accuracy of information reported to the Commission and whether the correct amount of certificates are being created for activities performed.	<b>Temporary</b> Destroy 7 years after audit concluded.	Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.
<b>3.4.2</b>	<b>Appointment of Authorised Officers</b> Records documenting the appointment by the Commission of individuals to act as Authorised Officers for the purposes of monitoring and ensuring compliance with the rules of energy target schemes.	<b>Temporary</b> Destroy 7 years after conclusion of scheme.	Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.
<b>3.4.3</b>	<b>Monitoring Warrants</b> Records documenting the process of applying for and obtaining monitoring warrants from the Magistrates Court for the purposes of conducting investigations concerning alleged non compliance with the rules of schemes. Monitoring warrants give Authorised Officers the power to enter and search premises, inspect documents and seek information.  <i>[For the investigations of alleged non compliance, see 2.5.0]</i>	<b>Temporary</b> Destroy 7 years after last action.	Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.



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<b>CLASS NO.</b>	<b>DESCRIPTION</b>	<b>DISPOSAL ACTION</b>	
		<b>STATUS</b>	<b>CUSTODY</b>
<b>3.5.0</b>	<p><b>Energy Target Scheme Penalties</b></p> <p>The issuing of penalties for organisations who fail to meet their annual certificate target. Also includes the issuing of Certificate Surrender Notices in cases where the Commission believe that certificates have been falsely registered, that is where certificates have been registered where the required activity did not occur or where the wrong amount of certificates were created for the amount of activity that occurred.</p> <p>Also includes the enforcement of penalties following non compliance.</p>		
<b>3.5.1</b>	<p><b>Issuing of Shortfall Penalties</b></p> <p>The issuing of penalties to organisations that have an energy target scheme certificate shortfall.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after penalty issued.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
<b>3.5.2</b>	<p><b>Issuing of Certificate Surrender Notices</b></p> <p>The issuing of Certificate Surrender Notices for instances where the Commission believes that a nominated or registered person has been responsible for the false registration of certificates.</p>	<p><b>Temporary</b></p> <p>Destroy 7 years after the conclusion of scheme.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>
<b>3.5.3</b>	<p><b>Enforcement of Penalties</b></p> <p>Records documenting the making of applications to the Supreme Court for a declaration where an organisation has failed to comply with a penalty that was issued to it.</p>	<p><b>Temporary</b></p> <p>Destroy 10 years after conclusion of matter.</p>	<p>Hold in agency or APROSS pending destruction. Electronic records are to be maintained in readable format pending destruction.</p>

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