



State Records Act 1997

Operational Records Disposal Schedule

Electoral Districts Boundaries Commission (EDBC)

RDS 2015/25 Version 1

Effective Date: 21 June 2016 to 30 June 2026

Approved Date: 21 June 2016

Approved by SRC



Electoral Districts Boundaries Commission (EDBC)

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Electoral Districts Boundaries Commission (EDBC)

Preamble

Purpose of the Schedule

This Operational Records Disposal Schedule (RDS) authorises arrangements for the retention or destruction of records in accordance with Section 23(2) of the *State Records Act 1997*.

Application of the Schedule

Electoral Districts Boundaries Commission (EDBC)

Approved Date: 21 June 2016

Effective Date: 21 June 2016 to 30 June 2026

Authorisation by State Records

This authorisation applies only to the disposal of the records described in the Schedule.

State Records' Contact Information

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Electoral Districts Boundaries Commission (EDBC)

Disposal of Official Records

Legislation

Section 23(1) of the *State Records Act 1997* states that an agency must not dispose of official records except in accordance with a determination made by the Manager [Director] of State Records with the approval of the State Records Council.

Section 23(2) states:

‘If an agency requests the Manager to make a determination as to the disposal of official records, the Manager must, as soon as practicable:

- (a) with the approval of the [State Records] Council, make a determination requiring or authorising disposal of the records in a specified manner; or
- (b) make a determination requiring delivery of the records into the custody of State Records or retention of the records and later delivery into the custody of State Records.’

The contents of an RDS, once the approval process is complete, constitute a determination within the meaning of the *State Records Act 1997*.

Functions of the Schedule

An RDS plans the life of these records from the time of their creation to their disposal. It describes the records created and/or controlled by EDBC, the disposal sentence specifying whether they are to be retained as archives or destroyed, and when this should occur.

This Operational Records Disposal Schedule has been prepared in conjunction with staff from EDBC to determine the records which need to be kept because of their long term value and to enable the disposal of records once they are no longer needed for administrative purposes. The assessment of the records takes into account their administrative, legal, evidential, financial, informational and historical values. The appraisal of the records is in accordance with the State Records’ policy as documented in *Appraisal of Official Records – Policy and Objectives* - available from State Records’ website (www.archives.sa.gov.au).

The Schedule complements the General Disposal Schedules (GDS) that are issued by State Records to cover housekeeping and other administrative records common to most State Government agencies.

Using the Schedule

The Schedule applies only to the records described within it.



Electoral Districts Boundaries Commission (EDBC)

Layout

The Schedule is laid out as follows:

- Item Number:** Numbering in the Schedule is multi level:
- Functions have single numbers (*e.g.* 1.)
 - Activities and/or processes have two-level numbers (*e.g.* 1.1)
 - Disposal classes have three-level numbers (*e.g.* 1.1.1)
- Function:** The general functions are shown in 12 point bold Arial upper case at the start of each section. (*e.g.* **MANAGEMENT OF ORDERS**)
- Activity/Process:** The activities and processes relating to each function are shown in 12 point bold Arial sentence case (*e.g.* **Corporate Style**).
- Description:** Descriptions are in three levels ranging from broad functions to specific disposal classes:
- definitions of functions are shown at the start of each section in bold (*e.g.* **The function of developing the Draft Order and Final Order.**)
 - definitions of activities are located adjacent to the activity title in italics *e.g.* *The activity of compiling and administering guidelines on the consistency in written style, graphic design, etc. within EDBC's documents.*
 - descriptions of each disposal class are arranged in sequence under the activity definitions.
- Disposal Action:** Disposal actions relate to the disposal classes arranged under the activity descriptions. The status of the class is either PERMANENT or TEMPORARY with a disposal trigger and retention period given for all temporary records.

Retention Period of the Record

The Schedule is used to sentence records. Sentencing involves applying the record retention periods within the RDS to the records of EDBC. Decisions are made using the Schedule about whether records are to be retained and, if so, for how long, or when they are to be destroyed.



Electoral Districts Boundaries Commission (EDBC)

Retention periods set down in the Schedule are minimum ones and EDBC may extend the retention period of the record if it considers there is an administrative need to do so. Where EDBC wishes to retain records for substantially longer periods it should request that the Schedule be amended to reflect this requirement.

Custody and Transfer of the Record

Permanent Records

Section 19 of the *State Records Act 1997* includes provisions for the transfer of custody of an official record:

- a) when the agency ceases to require access to the record for current administrative purposes or
- b) during the year occurring 15 years after the record came into existence - whichever first occurs

Official records that have been sentenced as permanent, in accordance with an approved disposal schedule, are required to be transferred to State Records.

Agencies with valid reasons to retain permanent records for longer than 15 years should apply in writing to Director [Manager], State Records requesting either a postponement or an exemption from section 19.

It should be noted that postponement or exemption are only granted in exceptional circumstances.

Temporary Records

The custody of official records that have been sentenced as temporary is the responsibility of agencies. A policy and standards framework for the management and storage of temporary value official records has been established by State Records as documented in *Records of Temporary Value: Management and Storage: Standard and Guidelines (May 2002)*. EDBC needs to comply with these policy documents - available from State Records' website (www.archives.sa.gov.au).

The custody of official records on networks or hard drives is also the responsibility of agencies. EDBC needs to ensure that records in electronic format remain accessible to authorised users for the duration of the designated retention period. State Records is, however, currently examining options for the transfer of permanent value electronic records in digital form to its custody.



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Destruction of Temporary Records

Temporary records can only be destroyed with the approval of the CE or delegate in accordance with the *Destruction of Official Records Guideline* issued by State Records of South Australia. Failure to comply with this direction falls under Section 17 of the *State Records Act 1997* and may be considered by ICAC as misconduct or maladministration.

Prior to destruction, the following General Disposal Schedules (GDS) need to be consulted:

- ***GDS 16 Impact of Native Title Claims on Disposal of Records*** to ensure records which are relevant to native title claims in South Australia are identified and preserved.
- ***GDS 27 for Records Required for Legal Proceedings or Ex Gratia Applications Relating to Alleged Abuse of Former Children Whilst in State Care*** to ensure the preservation of official records that may relate to the rights and entitlements of the individuals who present a court claim or apply for an ex gratia payment and of the State Government in defending or processing those claims and applications.
- ***GDS 32 for Records of Relevance to the Royal Commission into Institutional Responses to Child Sexual Abuse*** to ensure that records of relevance to the Royal Commission are protected and available for the purposes of the Royal Commission and any subsequent actions involving the South Australian Government as well as for future reference and accountability purposes and to protect the rights and entitlements of stakeholders.

EDBC must ensure that all destruction is secure and confidential and that a certificate confirming destruction is provided by private contractors.

Standard methods for destruction of paper are shredding, pulping or other means that are environmentally friendly.

Records in electronic format must only be destroyed by reformatting or rewriting to ensure that the data and any “pointers” in the system are destroyed. “Delete” instructions do not offer adequate security as data may be restored or recovered.

EDBC must keep their own record of all records destroyed, noting the relevant disposal authority. Proof of destruction may be required for legal purposes, or in response to FOI applications. When records are destroyed systems that control them should also be updated by inputting destruction dates and relevant disposal authorities.



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Review

State Records' disposal schedules apply for a period of ten years. Either EDBC or State Records may propose a review of the Schedule at an earlier time, in the event of changes to functions or procedures that affect the value of the records covered by the disposal authority. Reviews are especially necessary if there is vast administrative change that affects the currency and use of the records and/or the records are dispersed to other agencies.

The State Records Council needs to approve all amendments to the Schedule. Officers using the Schedule should advise State Records of any necessary changes.

Approved by SRC



Electoral Districts Boundaries Commission (EDBC)

Context Statement

Context of the Agency Covered by the Schedule

EDBC History and Background

The Electoral Districts Boundaries Commission was formally created in 1975 under an amendment to the *Constitution Act 1934* as an independent Commission to remove the power to redistribute electoral boundaries from the hands of parliament. A specific set of criteria was established to govern future redistributions, and the principle of ‘one vote, one value’ was adopted.

Prior to 1975 boundaries were determined by parliamentary select committees or ad hoc royal commissions. The first electoral distribution of South Australia was in 1851 when the then Province was divided into 16 single member Legislative Council districts for a partly nominated, partly elected one chamber legislature.

The boundaries of electoral districts were originally determined by select committees of the legislature. In 1882 a Commission convened by the Parliament and chaired by the Attorney-General of the day, was charged with ascertaining the ‘best means’ of dividing the Province into districts. In 1891 an Electoral Districts Bill tried unsuccessfully to set up a Royal Commission to specify electorates with ‘equal populations’. Over the years redistribution proposals with more precise terms of reference were drafted and considered by Parliament, not all of which were accepted.

From 1929 a number of ad hoc commissions were convened under the 1917 Royal Commissions Act. Determinations were described in the Acts of Parliament. This process was open to criticism as the objectivity of members assessing the boundary changes could be questioned, particularly prior to 1929 when members included serving members of the Parliament, and proposals could be accepted or rejected by the Parliament.

Early divisions were based on population rather than enrolled elector members. The variation between the number of enrolled electors in each district was in instances more than 50%. The first redistribution conducted under the Royal Commissions Act in 1929 was chaired by the Surveyor-General. It was bound by four terms of reference: community, communication, physical factors and existing boundaries.

In 1975 when the Electoral Districts Boundaries Commission was created and the power was removed from Parliament, the Commission was required to draw up redistribution of 47 electorates in line with the principle that the number of electors in each district must not vary from a quota by more than a 10% tolerance. This ended more than a hundred years of malapportionment. Periodic elections were held every two to three years and redistributions



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took place after five or more years had elapsed between two general elections held on the same boundaries.

In 1985, a change to a minimum three, maximum four year term population changes in a number of electorates and a failure to gain government in 1989 by coalition interests gaining the majority of the state wide vote prompted a review of the Commission's terms of reference. In 1990 the South Australia Parliament endorsed a Bill, supported by the electorate at a referendum on 9 February 1991, to amend the State's Constitution. The changes included a review of the State's 47 House of Assembly district boundaries after every general election, and for the Commission to consider wider criteria when reviewing and amending the boundaries. A significant redrawing of electoral boundaries took place in 1991 following the amendments to the Constitution and the introduction of the political fairness criterion.

Fixed four year terms for Members of the House of Assembly was introduced for the 2006 State election following the proclamation of the *Constitution (Parliamentary terms) Amendment Act 2001*, with general elections occurring on the third Saturday in March every four years.

After an amendment to the *Constitution Act 1934* commencing in 2010, the Commission is required to commence proceedings within 24 months after each polling day or as soon as practicable after an Act alters the number of members of the House of Assembly.²

EDBC Role and Function

The EDBC, established under the *Constitution Act 1934*, has perpetual succession and the powers of a Royal Commission. However, once it has completed its deliberations and finalised its Order, implementing new electoral boundaries, its administrative work is completed until it 'reconvenes' to commence the subsequent redistribution.

The Electoral Districts Boundaries Commission is a permanent and independent statutory body established by section 78 of the *Constitution Act 1934 (SA)*. The Commission has perpetual succession and the powers and functions of a Royal Commission.

The function of the Commission is to make periodic electoral redistributions by re-drawing the boundaries of the 47 electoral districts of the House of Assembly. The Commission is required to commence proceedings for the purpose of making an electoral redistribution within twenty-four months after each polling day for a State general election or as soon as practicable after an Act alters the number of members of the House of Assembly. The purpose of the redistribution is to ensure that the number of electors within each House of

² (EDBC Fact Sheet 2016) *Constitution Act 1934* commencement 06 January 2010.



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Assembly district is approximately the same, within a tolerance of 10%. It must also ensure that the electoral redistribution is fair to prospective candidates and groups of candidates so that if candidates of a particular group attract more than 50% of the popular vote, including preferences, they will be elected in sufficient numbers to enable a government to be formed. The 'fairness' criterion is unique to South Australia as it is the only State or Territory in the country that gives consideration to the political outcome of boundary distributions.

The Commission invites representations in relation to the proposed electoral redistribution. The invitations are in the form of public notices in selected metropolitan and country newspapers. Hearings, at the discretion of the Commission, allow individuals or groups to appear personally in support of their written representation. Following the receipt of representations or presentations at a hearing in support of representations, the Commission prepares a Draft Order for the electoral redistribution. The Commission invites submissions in response to the Draft Order. Evidence or argument relating to such submissions may be the subject of consideration at further hearings. The Commission will then proceed to finalise its order, which is published in the Government Gazette.

Where there are no appeals against the Order, it will become operative three months after it is published and effective at the next general election.

During the period between deliberations, administrative support is performed by the Electoral Commission of South Australia (ECSA), the administrative unit established under the *Public Sector Act 2009* to support the statutory office of Electoral Commissioner.

ECSA provides ongoing general administrative support to the EDBC, during the intervening periods during which the EDBC may not be 'in session', by tending to financial, operational and administrative activities. These include implementing any altered electoral boundaries into the National Joint Electoral Roll Database, maintaining computer equipment and software, administering financial arrangements for payment of fees, licenses, salaries and ad-hoc payments.

The Electoral Commission of South Australia is responsible for the implementation of any boundary adjustments in the period between the publication of an order and the next general election. Agency operations include adjusting the role database to reflect the new boundaries, updating records, preparing maps and materials describing and illustrating the district boundaries and informing electors of the changes at election time.³

³ 2012 Annual Report of the EDBC.



Electoral Districts Boundaries Commission (EDBC)

EDBC Structure Description

Pursuant to the *Constitution Act 1934* the Chairman of the Commission is to be the most senior available puisne Judge appointed for that purpose by the Chief Justice.

The other members of the Commission are:

- the Electoral Commissioner and
- the Surveyor-General.

The Commission may appoint staff including:

- Commission's Secretary
- Research Officer
- Assistant Research Officer.

In addition the Electoral Commission of South Australia provides support to the Commission in the areas of administration, financial services and Information Technology support.

An organisation chart has been provided as an attachment.

Predecessor Agencies

There are no predecessor agencies.

Successor Agencies

There are no successor agencies.

Legislation

There is no legislation administered by the EDBC. The EDBC is mandated under the *Constitution Act 1934* to carry out its functions.

List of relevant legislation not administered by the EDBC but having an impact on the operational or record-keeping requirements of the Department:

- *Constitution Act 1934*
- *Electoral Act 1985*
- *Royal Commissions Act 1917.*



Electoral Districts Boundaries Commission (EDBC)

Context of the Records Covered by the Schedule

Coverage of RDS 2015/25

This RDS applies to ongoing operational records for the Electoral Districts Boundaries Commission. It is intended to be a comprehensive guide incorporating all operational records of the agency.

Related Series Affected by RDS 2015/25

- GRS/6206 – 1991-1992 Electoral Districts Boundaries Commission records accrued by Justice James Michael White as Chairman.

Complementary Schedules to RDS 2015/25

There are no complementary Disposal Schedules to use with this RDS.

Existing Disposal Schedules Superseded by RDS 2015/25

There are no existing Disposal Schedules superseded by this RDS.

Records Structure within EDBC

The records structure of the EDBC is made up of the following:

- physical records belonging to the agency are managed in order of the electoral districts boundaries process and grouped by the year of the election
- electronic records are managed on the agency network drive in an Excel spreadsheet.

A Business Classification Scheme has recently been created and approved by the Commission, which will soon be used for classifying electronic and physical records.

Broad Description and Purpose of the Records

The operational records covered in this schedule relate to the redistribution of electoral districts for South Australia, which occur on a four yearly cycle, including hearings, exhibits, tenders, inquiries and investigations, representations and the Draft and Final Order.

Functions and Activities Documented by the Records

RDS 2015/25 covers the following functions of the EDBC:

- Community Engagement
- Inquiry and Investigation
- Management of Orders.



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The functions were determined through a workshop with key staff within the Commission, discussions with key individuals and researching of the Commission’s resources and publications.

The EDBC considered that Community Engagement was a better description of its statutory role than Community Relations. The EDBC must invite representations from interested persons; hear oral argument in support of those representations; undertake investigations to inform itself, including hearing from expert witnesses; then prepare a Draft Report; invite further written submission, in respect of the Draft Report; give further consideration that it deems necessary to any matters put to it; and then finalise its Order.

The description Community Relations included other activities, more aligned with promotion and marketing, etc, which the EDBC did not consider to be activities that related to its statutory obligations nor within its remit.

The above functions are supported by the following activities:

- | | |
|---------------------|-------------------------|
| Advice | Liaison |
| Agreements | Media Relations (EDBC) |
| Appeals (Decisions) | Reporting |
| Arrangements | Research |
| Commission Visits | Reviewing |
| Corporate Style | Tender (Exhibits) |
| Distribution | Tender (Representation) |
| Enquiries | Tender (Submission) |
| Hearings | Transcription |
| Legal Compliance | Warrant Authorisation |

Arrangement of the Records

EDBC records are managed by order of subject, both physically and electronically.

Example: Submissions, Exhibits, Representations.

The records are numbered with the year of the expected completion of the EDBC report, e.g. 1/2016, 2/2016 etc.



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The list of physical records is saved in an Excel spreadsheet, with the electronic records saved within network drives.

The records are predominantly hard-copy files. Everything created by EDBC is printed and filed and there is currently no EDRMS to manage records electronically. Excel is used to maintain the file lists, and network drives are used when creating a record and for accessing records for reference purposes. All records are then printed and retained in the file.

During the process of the Commission, lever arch folders are used, until all records are transferred into corporate file covers for long-term storage.

The EDBC's final Report and Order will also contain sketch plans, which describe each of the 47 House of Assembly electoral districts. The relationships of the electoral districts to one another are delineated in two Rack Plans, which are numbered and deposited with the Surveyor-General in Adelaide. Each Rack Plan is numbered and signed by the Commissioners, with one map comprising the metropolitan and outer Adelaide area, while the other comprises the country regions of the State.

In the past EDBC records have been captured and managed as part of ECSA's recordkeeping but will now be managed separately.

Agency Creating the Records

EDBC created the records covered by this RDS.

Agency Owning or Controlling the Records

EDBC owns and controls the records covered by this RDS.

Date Range of the Records

Records Date Range: 1975 to Ongoing.

Records held at ECSA pre-1975 are not official records of the EDBC, but copies of the reports and a copy of each of the submissions of the Liberal Party and Labor Party. These copies were left by the Electoral Commissioner of the time and were copies for his personal use.

Volume of the Records

The existing volume of physical records is approximately 8 linear metres. For each redistribution, which occurs on a four yearly cycle, approximately 1 linear metre of records are accumulated.

There are currently approximately 15GB of electronic records saved within network drives including drafts and possible duplications.



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No records are currently held at State Records SA or at an Approved Storage Provider.

Reports are held in the Parliamentary library dating back to 1927. Prior to 1976 the redistributions were under the responsibility of Parliament.

Special Custody Requirements

The Surveyor-General is the custodian for the original Rack Plans, which are signed by the Commissioners and then deposited with the Surveyor-General.

Special Storage Requirements

There are no special storage requirements.

Issues Not Mentioned Previously

There are no issues that have not already been mentioned.

Comments Regarding Disposal Recommendations

Permanent Records Rationale

Records deemed to be permanent are those which have a continuing value to the State or are of national significance. The appraisal objectives adopted by State Records of South Australia as per its *Appraisal of Official Records: Policy and Objectives Guidelines* for identifying records of permanent value relevant to the records covered by this Schedule are:

Objective 1 – to identify and preserve official records providing evidence of the source of authority, foundation and machinery of the SA Government and public sector bodies.

Examples of items include: Legal Compliance (2.6.1), Reporting (3.3.1)

Objective 2 – To identify and preserve official records providing evidence of the deliberations, decisions and actions of the South Australian Government and public sector bodies relating to key functions and programs and significant issues faced in governing the state of South Australia.

Examples of items include: Appeals (Decisions) (2.2.1)

Objective 3 – To identify and preserve official records providing evidence of the legal status and fundamental rights and entitlements of individuals and groups.

Examples of items include: Hearings (2.5.1), Legal Compliance (2.6.1)

Objective 4 – To identify and preserve official records substantially contributing to the knowledge and understanding of the society and communities of South Australia.



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Examples of items include: Research (2.7.1)

Objective 5 – to identify and preserve official records that contribute to the protection and wellbeing of the community or provide substantial evidence of the condition of the State, its people and the environment and the impact of government activities on them.

Examples of items include: Research (2.7.1), Tender (Representation) (2.9.1).

Temporary Records Rationale

Records nominated for temporary status in this schedule document routine processes and/or transactions that support the activities documented in the permanent records. Retention periods have been determined in accordance with legal, administrative, evidential and financial accountability requirements.

The EDBC is an active commission for the redistribution of district boundaries at each State Election. Temporary periods of 10 years and 5 years have been adopted in this schedule given the unique nature of the Commission's records being created and referenced to every 4 years.

10 years allows for an additional 2 years after two election cycles time for more significant responses and actions relating to each of the elections - examples include Agreements (items 1.1.1), Media Relations (1.4.2).

5 years allows for the additional year after election time for any low-level responses and actions relating to the election - examples include: Corporate Style (3.1.2).

8 years has also been applied in some instances to allow for the limitation of actions period of 6 years plus 2 years to allow any legal matters to be settled – examples include: Agreements, 1.1.1.

Disposal Recommendation Effect on Related Records

There are no related records affected by the disposal recommendations in this RDS.

Alternative Record Formats

There are no alternative record formats in this instance.

Impact on Native Title Claims

There is no discernible relevance to Native Title Claims.



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Indigenous Considerations

The determinations within *RDS 2015/25* are consistent with Recommendation 21 of the *National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*.

The principles outlined in *GDS 16*, relating to Native Title claims, have also been considered in the development of this Schedule.

RDS 2015/25 meets all cultural, historical, legal and administrative requirements.

All documents considered relevant to native title in South Australia must be checked for actual relevance with the Native Title Section of the Crown Solicitor's Office before being disposed of.

Approved by SRC



Electoral Districts Boundaries Commission (EDBC)

Scope Note

Records Covered by this Schedule

This RDS 2015/25 applies to the operational records of the EDBC. For further information refer to the Coverage of the RDS, p.13.

How to Apply this Schedule

Use in conjunction with GDS

This Schedule should be used in conjunction with **GDS 30** (as amended), or its successor. Cross-references to the **GDS 30** are included in this Schedule where appropriate.

To identify records that may be potentially relevant to native title claims, please refer to guideline **Identifying documents which may be relevant to Native Title** attached to **GDS 16**. Where records sentenced for temporary retention are identified as having potential relevance to a native title claim, they need to be retained until 31 December 2024.

To identify records that may be potentially relevant to **Legal Proceedings or Ex Gratia Applications Relating to Alleged Abuse of Former Children Whilst in State Care**, please refer to **GDS 27**. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2020.

To identify records that may be potentially relevant to the **Royal Commission into Institutional Responses to Child Sexual Abuse**, please refer to **GDS 32**. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2023.

Use in conjunction with, or complementary to, other RDS

This Records Disposal Schedule does not complement any existing schedules.

Other RDS superseded by RDS 2015/25

This RDS does not supersede any existing schedules.

Re-sentencing of records where schedules are superseded or particular entries within a schedule are superseded

In this instance, the re-sentencing of records is not required.

Records excluded from RDS 2015/25

There are no records excluded from coverage by this RDS.



Electoral Districts Boundaries Commission (EDBC)

Application to records in all formats

RDS 2015/25 applies to records in all formats, including databases and other electronic records. The EDBC is required to ensure that records remain accessible for the duration of designated retention periods.

Interpretation of the Schedule

Minimum retention periods

Retention periods for temporary records shown in *RDS 2015/25* are minimum retention periods for which records need to be retained. It is at the discretion of the EDBC as to whether records are kept for longer than the minimum period.

Acronyms

- EDBC – Electoral Districts Boundaries Commission
- ECSA – Electoral Commission of South Australia

Definitions of terms specific to RDS 2015/25

- **Draft Order** – contains a report detailing the EDBC’s structure, administration, proceedings and reasons behind its deliberations and determinations. It also includes detailed maps showing the boundaries for each of the proposed draft electoral districts, and appendices listing details of advertisements, representations, public hearings, witnesses and exhibits, along with various tables, electoral pendulums and descriptions of changes to electoral districts.
- **Final Order** – contains the final report and Order, signed and sealed by the Commissioners, implementing the electoral redistributions. It also contains information similar to the Draft Report, but following written submissions to the Draft Order and any alterations that the Commissioners considered warranted. The final maps, and appendices relevant to the Final Order will be included.
- **Electoral Redistributions** – to re-draw the boundaries of the 47 electoral districts of the House of Assembly
- **Submissions** – made by interested persons in response to the Draft Order.
- **Puisne** - The most senior puisne Judge of the Supreme Court is the Judge who is next highest in rank after the Chief Justice. It is a regular member of a court other than the court’s Chief Judge or Chief Justice.



Electoral Districts Boundaries Commission (EDBC)

Legal Deposit

Legal deposit refers to statutory provisions that oblige publishers to deposit copies of their publications in libraries in the country in which they are published. Under the Commonwealth *Copyright Act 1968* and various Australian state Acts, a copy of any work published in Australia must be deposited with (a) the National Library of Australia and (b) the appropriate State Library. Legal deposit extends not only to commercial publishers but also to private individuals, clubs, churches, societies and organisations.

In South Australia, one copy of publications produced for external use should be deposited with the State Library and the Parliamentary Library (section 35, *Libraries Act 1982*). Publications include books, newspapers, magazines, journals, pamphlets, maps, plans, charts, printed music, records, cassettes, films, video or audio tapes, computer software CD-ROMS, compact discs and other items made available to the public.

Records and Litigation

Where EDBC is aware that records may be required for use in litigation, for use in a government enquiry or the consideration of the Ombudsman, the records must not be destroyed. In such circumstances the records must be retained until two years after all cases and enquiries are complete (including appeals) and then have the original retention period applied to the records.

Pre-1901 Records

All pre-1901 records are required to be **retained permanently** in accordance with a motion approved by the State Records Council on 19 February 2008.

In this instance, this RDS does **NOT** apply to pre-1901 records.



Electoral Districts Boundaries Commission (EDBC)

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Electoral Districts Boundaries Commission (EDBC)

| Item No. | FUNCTION Activity / Process | Description / Disposal Class | Disposal Action |
|-------------------------------|-----------------------------|---|---|
| 1 COMMUNITY ENGAGEMENT | | | |
| 1 | COMMUNITY ENGAGEMENT | The function of establishing rapport with the community, maintaining collaboration and encouraging community contribution towards the redistribution of electoral boundaries. Includes advertising, media liaison, relationships with professional bodies and industry, handling reactions to those services, customer consultation and feedback. | |
| | | See 2.5 HEARINGS for addresses and speeches | |
| 1.1 | Agreements | <i>The processes associated with the establishment, maintenance review and negotiation of agreements.</i> (Keyword AAA) | |
| 1.1.1 | Agreements | Records documenting the negotiations, establishment, maintenance and review of agreements. Includes draft agreements and communications between agencies creating the agreements. Includes draft and final agreements. | TEMPORARY Destroy 8 years after action completed |
| 1.2 | Enquiries | <i>The activities associated with the seeking and handling of requests for information about EDBC and its services by the general public or another organisation.</i> (Keyword AAA) | |
| 1.2.1 | Enquiries | Records relating to the management of enquiries resulting in a reversal of the EDBC decision. | PERMANENT |
| 1.2.2 | Enquiries | Records relating to the management of enquiries requiring investigation and a specific response. | TEMPORARY Destroy 10 years after action completed |
| 1.2.3 | Enquiries | Records relating to customer services provided to the public by the EDBC. | TEMPORARY Destroy 5 years after action completed |



Electoral Districts Boundaries Commission (EDBC)

| Item No. | FUNCTION Activity / Process | Description / Disposal Class | Disposal Action |
|-------------------------------|-------------------------------|---|---|
| 1 COMMUNITY ENGAGEMENT | | | |
| 1.3 | Liaison | <i>The activities associated with maintaining regular general contact between EDBC and professional associations, professionals in related fields, other private sector organisations and community groups.</i> (Keyword AAA) | |
| | | See: 1.2 COMMUNITY ENGAGEMENT – Enquiries for liaison of a routine nature | |
| 1.3.1 | Liaison | Records relating to liaison with community groups, organisations and private individuals. Includes letters, e-mail and notices. | PERMANENT |
| 1.4 | Media Relations (EDBC) | <i>The activities associated with establishing a relationship between the media and EDBC. Includes cultivating media contacts, coordinating access to the media, authorising and issuing press releases and briefings, and organising media interviews.</i> | |
| 1.4.1 | Media Relations (EDBC) | Master copy of original media items in relation to the EDBC. Includes media releases, briefings and formal responses. | PERMANENT |
| 1.4.2 | Media Relations (EDBC) | Records relating to the management of the EDBC relationship with the media on minor matters. e.g. correspondence checking dates of the EDBC. | TEMPORARY Destroy 10 years after action completed |
| 1.5 | Reporting | <i>The process associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies), and to provide formal statements or findings of the results of the examination or investigations. Includes agenda, briefing, discussion papers, proposals, reports, reviews and returns.</i> (Keyword AAA) | |



Electoral Districts Boundaries Commission (EDBC)

| Item No. | FUNCTION Activity / Process | Description / Disposal Class | Disposal Action |
|-------------------------------|-----------------------------|--|---|
| 1 COMMUNITY ENGAGEMENT | | | |
| 1.5.1 | Reporting | Records relating to internal or system reports on general administrative matters used to monitor and document recurring community engagement activities. Includes summary reports, eg Draft and Final Orders where calls for representations and submissions will be made. | TEMPORARY Destroy 10 years after action completed |
| 1.6 | Reviewing | <i>The activities involved in re-evaluating or re-examining processes, procedures, standards and systems. Includes recommendations and advice resulting from these activities.</i> (Keyword AAA) | |
| 1.6.1 | Reviewing | Records relating to reviews of the EDBC’s community engagement programs and operations. e.g. recommendations. Includes calls for public submissions and representations, requesting comment. The process of input into Commission deliberations. | TEMPORARY Destroy 10 years after action completed |



Electoral Districts Boundaries Commission (EDBC)

| Item No. | FUNCTION Activity / Process | Description / Disposal Class | Disposal Action |
|------------------------------------|----------------------------------|--|---|
| 2 INQUIRY AND INVESTIGATION | | | |
| 2 | INQUIRY AND INVESTIGATION | The function of carrying out the inquiry and investigation in relation to the electoral boundaries. The EDBC is empowered to review electoral boundaries and make an electoral redistribution. Includes representations and submissions made to the EDBC, expert evidence, the examination of witnesses, and other forms of evidence associated with the Terms of Reference of the EDBC. Also includes liaising with individuals and organisations who make representations or submissions, and with witnesses. | |
| 2.1 | Advice | <i>The activities associated with offering opinions by or to EDBC as to an action or judgement. Includes the process of advising.</i> (Keyword AAA) | |
| 2.1.1 | Advice | Records relating to advice, including legal, received and issued in relation to an inquiry or investigation of the Commission. | PERMANENT |
| 2.2 | Appeals (decisions) | <i>The activities involved in the process of appeals against decisions by application to a higher authority e.g. to the Full Court of the Supreme Court.</i> (Keyword AAA) | |
| 2.2.1 | Appeals (decisions) | Records relating to appeals against the Final Order of the EDBC. | PERMANENT |
| 2.3 | Arrangements | <i>The activities involved in arranging for a journey or trip. Includes preparing travel itineraries, authorisations, entitlements etc. Includes the recording of appointment times and meetings.</i> (Keyword AAA) | |
| 2.3.1 | Arrangements | EDBC's Diary of scheduled meetings. | TEMPORARY Destroy 10 years after action completed |



Electoral Districts Boundaries Commission (EDBC)

| Item No. | FUNCTION Activity / Process | Description / Disposal Class | Disposal Action |
|------------------------------------|-----------------------------|--|---|
| 2 INQUIRY AND INVESTIGATION | | | |
| 2.3.2 | Arrangements | Records relating to the arrangement of journeys or trips. Includes travel itineraries. | TEMPORARY Destroy 10 years after action completed |
| 2.4 | Commission Visits | <i>The activities associated with visits by the Commissioners and EDBC staff to sites relating to EDBC's inquiry and investigations.</i> | |
| 2.4.1 | Commission Visits | Records documenting visits, including bus tours by the Commissioner and staff to sites relevant to the inquiry or investigation. Includes itinerary. | PERMANENT |
| 2.4.2 | Commission Visits | Records relating to the organising of visits by the Commissioner. Includes meetings and correspondence for arranging the visits. | TEMPORARY Destroy 10 years after action completed |
| 2.5 | Hearings | <i>The activities associated with EDBC hearings. Hearings provide an opportunity to the public to make presentations of representations and to allow for cross-examinations of expert witnesses.</i> | |
| | | See: 2.11.1 INQUIRY AND INVESTIGATIONS – Transcription for recordings of the Commission's hearings. | |
| | | See: 2.8.1 INQUIRY AND INVESTIGATION – Tender (Exhibits) for records relating to exhibits | |
| 2.5.1 | Hearings | Records relating to hearings, including the notice of the public hearing. | PERMANENT |
| 2.6 | Legal Compliance | <i>The activities associated with supporting compliance with the mandatory legal, investigative and reporting requirements necessary for conducting the EDBC. Includes powers relating to the refusal to give or produce evidence and statements, the provision of misleading information and the destruction of evidence. Also includes the protection of the rights of witnesses in relation to injury, bribery, fraud, prevention of attendance and dismissal by employers.</i> | |



Electoral Districts Boundaries Commission (EDBC)

| Item No. | FUNCTION Activity / Process | Description / Disposal Class | Disposal Action |
|------------------------------------|-----------------------------|---|---|
| 2 INQUIRY AND INVESTIGATION | | | |
| 2.6.1 | Legal Compliance | Records relating to infringements or breaches of mandatory statutory requirements including failure to produce evidence, failure of witnesses to attend hearings, refusing to be sworn as a witness, bribery of witnesses, providing false or misleading evidence, destroying evidence, refusing to answer questions or other expressions of contempt of the EDBC. | PERMANENT |
| | | See: 2.1.1 INQUIRY AND INVESTIGATIONS – Advice for records relating to legal advice | |
| 2.7 | Research | <i>The activities involved in investigating or enquiring into a subject or area of interest in order to discover facts, principles etc. Used to support the development of projects, standards, guidelines etc. and the business activities of the agency in general. Includes following up enquiries relating to organisational programs, projects, working papers, literature searches etc. (Keyword AAA)</i> | |
| 2.7.1 | Research | Records relating to research into issues relating to an inquiry or investigation. Includes research into governance, government policy and legislation, comparative studies, etc. | PERMANENT |
| | Research | Records relating to background and reference material used for the purposes of research. | TEMPORARY Destroy 10 years after action completed |
| 2.8 | Tender (Exhibits) | <i>The activity of tendering exhibits during hearings of the Commission. Exhibits may include Gazette Notices, Public Notices, maps, and documents created for the EDBC comprising statistical information. Includes expert advice.</i> | |



Electoral Districts Boundaries Commission (EDBC)

| Item No. | FUNCTION Activity / Process | Description / Disposal Class | Disposal Action |
|------------------------------------|--------------------------------|---|---|
| 2 INQUIRY AND INVESTIGATION | | | |
| 2.8.1 | Tender (Exhibits) | Master set of exhibits tendered to the Commission. Includes statistics, planned developments, demographic trends, maps, gazette notices, photographs and expert advice. | PERMANENT |
| | | See: 2.5.1 INQUIRY AND INVESTIGATION – Hearings for records relating to hearings | |
| 2.9 | Tender (Representation) | <i>The activities associated with representations to the Commission by interested persons.</i> | |
| 2.9.1 | Tender (Representation) | Master set of representations tendered to the EDBC in relation to the proposed electoral redistribution. | PERMANENT |
| 2.9.2 | Tender (Representation) | Records relating to the confirmation of representations received by the Commission. Includes correspondence to the person submitting the representation. | TEMPORARY Destroy 10 years after action completed |
| 2.10 | Tender (Submission) | <i>The activity of tendering submissions in response to the Draft Order of the Commission. Includes calls to make submissions and scheduling of submissions.</i> | |
| 2.10.1 | Tender (Submission) | Master set of submissions tendered to the EDBC. | PERMANENT |
| 2.10.2 | Tender (Submission) | Records relating to the confirmation of the submissions received. Includes correspondence to the person submitting the submissions. | TEMPORARY Destroy 10 years after action completed |
| 2.11 | Transcription | <i>The activity of recording the EDBC's hearings.</i> | |
| 2.11.1 | Transcription | Master set of transcripts of the EDBC's interviews and/or hearings. | PERMANENT |
| 2.12 | Warrant Authorisation | <i>The process of exercising the powers of a Royal Commission including issuing summons. Also includes seeking and obtaining warrants from a Magistrate. Includes search warrants, affidavits, commitment warrants, summonses and court orders.</i> | |



Electoral Districts Boundaries Commission (EDBC)

| Item No. | FUNCTION Activity / Process | Description / Disposal Class | Disposal Action |
|------------------------------------|-----------------------------|--|---|
| 2 INQUIRY AND INVESTIGATION | | | |
| 2.12.1 | Warrant Authorisation | Registers documenting the application and issue of warrants. | PERMANENT |
| 2.12.2 | Warrant Authorisation | Records documenting the preparation of warrants or similar instruments relating to an investigation. Includes search warrants, affidavits, commitment warrants, apprehension warrants, court orders, summonses or other types of warrants. | TEMPORARY Destroy 10 years after action completed |



Electoral Districts Boundaries Commission (EDBC)

| Item No. | FUNCTION Activity / Process | Description / Disposal Class | Disposal Action |
|-------------------------------|--------------------------------|--|--|
| 3 MANAGEMENT OF ORDERS | | | |
| 3 | MANAGEMENT OF ORDERS | The function of developing the Draft Order and Final Order. Includes the preparation of maps and materials illustrating the district boundaries, and correspondence to electors notifying of the changes. | |
| 3.1 | Corporate Style | <i>The activity of compiling and administering guidelines on the consistency in written style, graphic design etc. within EDBC's documents. Includes designing publications that incorporate the corporate image of EDBC. (Keyword AAA)</i> | |
| 3.1.1 | Corporate Style | Records relating to the development and implementation of the corporate style for agency documents, stationery and publications. | TEMPORARY Destroy 5 years after action completed |
| 3.1.2 | Corporate Style | EDBC style manuals including revisions and updates. | TEMPORARY Destroy 2 years after superseded |
| 3.2 | Distribution (EDBC) | <i>The activities associated with disseminating items, correspondence, or publications through sales, deliveries or other customer services. Includes the distribution of reports/maps.</i> | |
| 3.2.1 | Distribution (EDBC) | The activities associated with distributing the Draft Order and Final Order. | TEMPORARY Destroy 5 years after action completed |
| 3.3 | Reporting (EDBC) | <i>The process associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies) and to provide formal statements or findings of the results of the examination or investigation. Includes agendas, briefings, discussion papers, proposals, reports, reviews and returns and includes the Report of the EDBC.</i> | |



Electoral Districts Boundaries Commission (EDBC)

| Item No. | FUNCTION Activity / Process | Description / Disposal Class | Disposal Action |
|-------------------------------|--------------------------------|--|---|
| 3 MANAGEMENT OF ORDERS | | | |
| 3.3.1 | Reporting (EDBC) | Master Copy of the Draft and Final Order. | PERMANENT |
| 3.3.2 | Reporting (EDBC) | Master copy of Rack Plans. Each Rack Plan is numbered and signed by the Commissioners, with one map comprising the metropolitan and outer Adelaide area, while the other comprises the country regions of the State. | PERMANENT |
| 3.3.3 | Reporting (EDBC) | Internal or system reports on general administrative matters used to monitor and document recurring management of orders activities. Includes summary reports. | TEMPORARY Destroy 10 years after action completed |
| 3.3.4 | Reporting (EDBC) | Records relating to reviews of the EDBC's Draft order and Final Order programs and operations. Includes recommendations. | TEMPORARY Destroy 10 years after action completed |



Electoral Districts Boundaries Commission (EDBC)

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