



SETTING RESTRICTED ACCESS PERIODS (RAP)–A PRACTICAL GUIDE

Queensland State Archives

Access categories These are as listed in the <i>Public Records Act 2002</i>	Legislation Examples of relevant legislative provisions, (not exhaustive)	Restricted Access Period (RAP) and Item description (metadata)	Considerations when setting a RAP	Examples of types of records (not exhaustive)
<p>1. All public records (if not relevant under another category)</p>	<p>Public Records Act 2002, Section 16 (4c)</p>	<ul style="list-style-type: none"> • Closure period of between 0-30 years. • Most Item description is available in the online catalogue by default. • Provide justification if item description is not to be available online. 	<p>Most records are of a non-personal or non-sensitive nature.</p> <p>They will likely also have little to no impact on business or agency interests.</p>	<ul style="list-style-type: none"> • School admission registers • Minutes and agendas • Administration files • Correspondence files • Land ownership/use files • Electoral rolls • Account/cash books • Land/survey maps • Rates and valuations • Letterbooks • Photographs (generic)

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2. Personal affairs of an individual	Public Records Act 2002 , Section 16 (4a)	<ul style="list-style-type: none"> • Closure period of between 0-100 years depending on sensitivity. • Item description available in the online catalogue by default. • Provide justification if item description is not to be available online. 	<p>Personal affairs refer to a spectrum of identifiers, such as personal relationships, health, domestic or financial obligations, with discretion to consider that personal details may also constitute information about personal affairs.</p> <p>Consider if:</p> <ul style="list-style-type: none"> • the person in question is deceased or likely to be deceased and that privacy is diminished over time • consider if the person is an adult or child at the time the record was created • any of the information can be found in the public domain such as published material, social media, white pages, open court processes. <p>Sensitivity could be considered in three levels:</p> <p>Low Sensitivity – 0-30 years</p> <p>Low level information such as summary information of a person like those found in a register or database e.g. Name, address, age, occupation, next of kin etc.</p>	<ul style="list-style-type: none"> • Wills • Protective management • Apprenticeship files • Public trust files • Intestate files • Civil files • Health records (hospital admissions, mental health files) • Records relating to children (children in state care, children's home records)

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			<p>Medium Sensitivity – 31-65 years</p> <p>Contains more detailed information of details but may include relationships to other people, employment details, culturally sensitive material and financial affairs.</p> <p>High Sensitivity – 66-100 years</p> <p>Contains detailed information of a person of a sensitive nature and may include sensitive medical records, culturally sensitive material and mental health records.</p>	
<p>3. Information subject to legal Professional Privilege</p>	<p>Public Records Act 2002, Section 16 (4b)</p> <p>Right to Information Act 2009, Schedule 3, Section 7</p>	<ul style="list-style-type: none"> • Closure period of between 0-65 years. • Item description available in the online catalogue by default. • Provide justification if item description is not to be available online. 	<p>Records containing information created during the process of giving or obtaining legal advice or providing legal services.</p> <p>Low to Medium Sensitivity – 0-30 years</p> <p>High Sensitivity – 31-65 years</p>	<ul style="list-style-type: none"> • Information related to litigation • Legal advice files
<p>4. Information whose disclosure would be found to be a breach of confidence</p>	<p>Public Records Act 2002, Section 16 (4b)</p> <p>Right to Information Act 2009, Schedule 3, Section 8</p>	<ul style="list-style-type: none"> • Closure period of between 0-65 years. • Item description available in the online catalogue by default. 	<p>This is information conveyed in confidence under the understanding the information is for a restricted purpose.</p> <p>Generic listing that does not contain names would likely have open description.</p>	<ul style="list-style-type: none"> • Confidential witness statements • Confidential submissions • Commercial-in-confidence

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		<ul style="list-style-type: none"> Provide justification if item description is not to be available online. 	<p>A record with the name of a confidential witness in the description would be considered sensitive and would not be available in the public catalogue.</p> <p>Low to Medium Sensitivity – 0-30 years. High Sensitivity – 31-65 years.</p>	
5. National or State Security Information	<p>Public Records Act 2002, Section 16 (4b)</p> <p>Right to Information Act 2009, Schedule 3, Section 9</p>	<ul style="list-style-type: none"> Closure period of between 0-65 years. Item Description available in the online catalogue by default. Provide justification if item description is not to be available online. 	<p>This is information that could reasonably be expected to damage the security of the Commonwealth or State.</p> <p>Consider whether:</p> <ul style="list-style-type: none"> information is current, buildings still exist etc. if the information is available in the public domain e.g. google maps, government websites, evacuation plans. <p>Low Sensitivity – 0-30 years. Medium to High Sensitivity – 31-65 years</p>	<ul style="list-style-type: none"> Plans of public buildings Schematics of public transport Key elements of gas, power and water delivery Disaster and emergency response/recovery plans

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6. Law enforcement or public safety information	<p>Public Records Act 2002, Section 16 (4b)</p> <p>Right to Information Act 2009, Schedule 3, Section 10</p>	<ul style="list-style-type: none"> • Closure Period of between 0-65 years. • Description open by default and closed by exception. • Provide justification for closing description. 	<p>This is information that could:</p> <ul style="list-style-type: none"> • bias an investigation or trial • endanger a person’s life, wellbeing, or physical safety including harassment and intimidation • bias the maintenance of law enforcement • endanger the security of a structure or vehicle • help in a person’s escape from custody • effect the wellbeing of cultural and natural resources or the habitat of animals and plants which could be prejudicial to their survival. <p>Consider if the information is available in the public domain e.g. open court proceedings, media coverage, google maps.</p> <p>Low to Medium Sensitivity – 0-30 years. High Sensitivity – 30-65 years.</p>	<ul style="list-style-type: none"> • Crime and corruption investigations • Murder files • Criminal files • Plans of public buildings • Security procedures and plans • Bench records and summons

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7. Cabinet matters	<p>Public Records Act 2002, Section 16 (1A)</p> <p>Right to Information Act 2009, Schedule 3, Section 2</p>	<ul style="list-style-type: none"> • Closed for a period of 20 years for records created after July 2009. • Closed for a period of 30 years for records created before July 2009. • Item description closed for the same period of time to which the records relate. 	Documents brought into existence for the consideration of Cabinet.	<ul style="list-style-type: none"> • Cabinet submissions • Cabinet briefing notes • Cabinet agendas • Cabinet minutes • Cabinet decisions, notes of discussions in Cabinet • Reports of factual or statistical information attached to any of the above • Cabinet committees • Drafts of any of the above are also included
8. Executive Council information and ministerial records	<p>Public Records Act 2002, Section 16 (1a, b, c)</p> <p>Right to Information Act 2009, Schedule 3, Section 3</p>	<ul style="list-style-type: none"> • Closure period of 30 years • Most Item description is available in the online catalogue by default. • Provide justification for closing description. 	<p>Records submitted or proposed to be submitted to the Executive Council including any drafts or copies.</p> <p>This includes briefings for ministers, the Governor of Queensland or Chief Executives.</p>	<ul style="list-style-type: none"> • A Ministerial record, a record of an Assistant Minister • Executive council minutes, submissions, proposals, supporting documentation or a draft of any of the above