



Responsible Public Authority : Department of Justice and Attorney-General

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Approved by State Archivist	: Janet Prowse	
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Scope of disposal schedule

This disposal authority covers the records created in the administration of the function of Censorship.

This Schedule is to be used in conjunction with the *General Retention and Disposal Schedule for Administrative Records (GRDS)*.

References to repealed legislation within this Schedule may be taken to be a reference to current legislation if the context permits

Authority

Authorisation for the disposal of public records is given under, and subject to, the provisions of s.13 of the *Public Records Act 2002* (the Act). Public records must not be disposed of if disposal would amount to a contravention of s.13.

Revocation of previously issued disposal authorities

Any previously issued disposal authority which applied to disposal classes described in this schedule are revoked. The Department of Employment, Economic Development and Innovation should take measures to withdraw revoked disposal authorities from circulation. This includes, but is not limited to:

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About this Schedule

All of the retention periods in this approved Schedule are the minimum period for which the sentenced records must be maintained.

Additionally, any class may be required to be retained longer if subject to any of the following requirements:

- (i) for any civil or criminal court action which involves or may involve the State of Queensland or an agency of the State
- (ii) because the public records may be obtained by a party to litigation under the relevant Rules of Court, whether or not the State is a party to that litigation
- (iii) pursuant to the *Evidence Act 1977*, or
- (iv) for any other purpose required by law.

This list is not exhaustive.

Records which are subject to a Right to Information application are to be retained for a period greater than the approved retention period to ensure that all appeal processes have been exhausted under the legislation, even though the records may be due for destruction according to this Schedule at the time of the application (see [General Retention and Disposal Schedule for Administrative Records](#)).

All record classes in this Schedule can be applied to records in all formats, unless otherwise specified.

For further information on how to apply this Schedule please refer to the [Guideline for the Implementation of Retention and Disposal Schedules](#), available from the Queensland State Archives' website.



Transfer of public records to Queensland State Archives

Records covered by a class with the disposal action of 'Retain permanently' should be transferred to Queensland State Archives with the approval of the State Archivist. Records covered by a class with the disposal action of 'Retain permanently by agency' are not eligible for transfer to Queensland State Archives unless re-appraised and assigned a disposal action of 'Retain permanently'.

Agencies are required to submit a transfer proposal containing details of the records under consideration for transfer. Queensland State Archives will assess the transfer proposal before formal approval to transfer is issued. Please refer to the Guideline on [Transferring Public Records to Queensland State Archives](#) available from the Queensland State Archives' website. The State Archivist reserves the right to revise any previous decisions made with regard to the appraisal and transfer of records. Contact Agency Services at Queensland State Archives on telephone (07) 3131 7777 for further details.

Revision history

QDAN	Date of Approval	Extent of revision
586 v1	02/03/2004	Schedule approved
657 v1	30/08/2010	Schedule for Censorship function only



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1. Censorship

The function of providing a policy and regulatory framework that provides guidance to entertainment and media industries in the provision of visual, audio and print literature to the marketplace and enables consumers to make informed choices about what they see and read.

Includes requesting reviews of classified material from the national Classification Review Board (originally classified by national Office of Film & Literature Classification), approving film festivals and organisations to exhibit films, providing evidentiary certification of unclassified material and prosecuting breaches of classification legislation, including Classification of Films Act 1991, Classification of Computer Games & Images Act 1995 and Classification of Publications Act 1991.

Reference	Description of records	Status	Disposal Action
1.1	ADVICE <i>The activities associated with receiving and offering opinions by the organisation as to an action or judgement. Includes community consultation processes.</i>		
1.1.1	Publications forwarded to Classification Officer for information, to assist in the provision of advice to members of the public regarding censorship issues.	Temporary	Retain sample for reference until administrative use ceases.
1.1.2	Records relating to the provision of advice on censorship issues, including general correspondence from members of the public regarding films, publications, computer games, movie titles, etc.	Temporary	Retain for 5 years after last action.



Reference	Description of records	Status	Disposal Action
1.2	<p>COMPLAINT INVESTIGATION</p> <p><i>The activity of investigating breaches against legislation initiated by intelligence gathered or written complaints made by members of the public, includes interviewing involved parties, obtaining warrants and conducting searches.</i></p> <p><i>NB: Complaints are categorised as minor or major according to the set criteria of the Departmental Compliance and Enforcement Framework – Policy and Standards.</i></p>		
1.2.1	<p>Records relating to the investigation of major complaints as possible breaches or breaches of legislation where prosecution (including preparation of evidence briefs, complaint and summons), formal undertakings, injunctions and show cause notices or tribunal hearings are proceeded with under the:</p> <p><i>Classification of Computer Games and Images Act 1995, Classification of Films Act 1991 and Classification of Publications Act 1991.</i></p>	Temporary	Retain for 10 years after last action.
1.2.2	<p>Records relating to the investigation of minor complaints as possible breaches or breaches of legislation, including evidence briefs, court complaint and summons for prosecution, formal undertakings, injunctions and show cause notices or tribunal hearings under the:</p> <p><i>Classification of Computer Games and Images Act 1995, Classification of Films Act 1991 and Classification of Publications Act 1991.</i></p>	Temporary	Retain for 7 years after last action.



Reference	Description of records	Status	Disposal Action
1.2.3	<p>Records relating to the investigation of complaints against re-offending, problem parties as possible breaches or breaches of legislation where prosecution (including preparation of evidence briefs, complaint and summons), formal undertakings, injunctions and show cause notices or tribunal hearings are proceeded with under the:</p> <p><i>Classification of Computer Games and Images Act 1995, Classification of Films Act 1991 and Classification of Publications Act 1991.</i></p>	Temporary	Retain for 10 years after last action.
1.2.4	<p>Records relating to the investigation of complaints as possible breaches or breaches of legislation where prosecution (including preparation of evidence briefs, complaint and summons), formal undertakings, injunctions and show cause notices or tribunal hearings are proceeded with, which are precedent-setting under the:</p> <p><i>Classification of Computer Games and Images Act 1995, Classification of Films Act 1991 and Classification of Publications Act 1991.</i></p>	Temporary	Retain for 15 years after last action.
1.3	<p>FILM FESTIVALS</p> <p><i>The activity of approving and certifying organisations to hold film festivals, and processing applications by approved organisations for the running and content of individual film festivals by these organisations on a case-by-case basis.</i></p> <p><i>Includes classifying short films and other films that have not been classified by the Office of Film & Literature Classification Board, and approving exemptions for the screening of classified films.</i></p>		



Reference	Description of records	Status	Disposal Action
1.3.1	Records relating to the approval of applications by registered organisations to hold film festivals with specific venues, times and content, including classification of unclassified films and the approval of exemptions to film classifications to enable screening at the film festival, under the <i>Classification of Films Act 1991</i> .	Temporary	Retain for 2 years after end date of film festival.
1.3.2	Records relating to the processing of applications for the registration of organisations as approved organisations to hold film festivals under the <i>Classification of Films Act 1991</i> .	Temporary	Retain for 10 years after approval is revoked or the organisation ceases to exist.
1.4	OFFENCE PROSECUTION <i>The activity of prosecuting or assisting the prosecution of persons for breaches of legislation relating to censorship. Includes considering suspect material and classifying according to censorship criteria that has been referred by Departmental investigators and/or Police Service. Includes providing evidentiary certificates to support prosecutions by the Queensland Police Service or Crown Law.</i> <i>Also includes issuing court complaints and summons as complainant.</i>		
1.4.1	Computer games and images surrendered to the agency or forfeited under the <i>Classification of Computer Games and Images Act 1995</i> .	Temporary	Retain for 3 years after finalisation of any enforcement action.



Reference	Description of records	Status	Disposal Action
1.4.2	Publications surrendered to the agency or forfeited under the <i>Classification of Publications Act 1991</i> .	Temporary	Retain for 3 years after finalisation of any enforcement action.
1.4.3	Records relating to the prosecution of offences under the <i>Classification of Films Act 1991</i> , <i>Classification of Publications Act 1991</i> and <i>Classification of Computer Games and Images Act 1995</i> .	Temporary	Retain for 2 years after last action.
1.4.4	Videos surrendered to the agency or forfeited under the <i>Classification of Films Act 1991</i> .	Temporary	Retain for 3 years after finalisation of any enforcement action.
1.4.5	Publications reviewed by the Objectionable Literature Board between 1955 and 1990.	Temporary	Retain until reference ceases.