

# Courts Sector Retention and Disposal Schedule

Responsible public authority: Queensland Courts

Queensland Disposal Authority Number (QDAN)	705	Version	1
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## Scope of retention and disposal schedule

This schedule comprises core business records of Queensland Courts. Courts may include, but are not limited to the Supreme Court, including the Court of Appeal; the District Court, including the Planning and Environment Court and the Childrens Court of Queensland; the Land Court; the Land Appeal Court and the Magistrates Court including the Childrens Court and the Coroners Court. Also includes entities providing recording and transcription services to Queensland Courts and the Aboriginal Land Tribunal.

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References to repealed legislation within this schedule may be taken to be a reference to current legislation if the context permits.

## Record Formats

This schedule applies to records created in all formats, unless otherwise specified in the class description. This includes, but is not limited to, records in business systems, maps, plans, photographs, motion picture and records created using web 2.0 media.

## Authority

Authorisation for the disposal of public records is given under s.26 of the *Public Records Act 2002* (the Act).

No further authorisation is required from the State Archivist for records disposed of under this schedule. However, the disposal of all public records must be endorsed by the public authority's Chief Executive Officer, or authorised delegate, in accordance with *Information Standard 31: Retention and Disposal of Public Records*, and recorded in the public authority's disposal log.

## Queensland State Archives

Department of Science, Information Technology, Innovation and the Arts

Public records that are not covered by an approved retention and disposal schedule cannot be disposed of by a public authority.

Disposal of public records not covered by an approved retention and disposal schedule is a contravention of s.13 of the Act.

### **Revocation of previously issued disposal authorities**

Any previously issued disposal authority which covers disposal classes described in this retention and disposal schedule is revoked. The Department of Justice and Attorney General and/or the courts should take measures to withdraw revoked disposal authorities from circulation. This includes, but is not limited to:

- QDAN 581 version 1 - *Supreme Court of Queensland Retention and Disposal Schedule*
- QDAN 589 version 1 - *District Court Retention and Disposal Schedule*
- QDAN 296 version 2 - *Magistrates Court Retention and Disposal Schedule*
- QDAN 598 version 2 - *Land Court Retention and Disposal Schedule*
- H256/31 – 1990 *Court Reporting Bureau Retention and Disposal Schedule*

Public records sentenced under revoked retention and disposal schedules should be re-sentenced prior to disposal.

For further advice on the currency of approved retention and disposal schedules, please contact Agency Services at Queensland State Archives on (07) 3131 7777.

### **Retention of records**

All of the retention periods in this schedule are the minimum period for which the sentenced records must be maintained. Public records cannot be disposed of prior to the expiration of the appropriate retention period. However, there is no requirement for public records to be destroyed at the expiration of a minimum retention period.

Public records must be retained for longer if:

- i. the public record is or may be needed in evidence in a judicial proceeding, including any reasonably possible judicial proceeding
- ii. 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. the public record must be retained pursuant to the *Evidence Act 1977*
- iv. there is a current disposal freeze in relation to the public record, or
- v. there is any other law or policy requiring that the public record be retained.

This list is not exhaustive.

Public records which deal with the financial, legal or proprietary rights of the State of Queensland or a State related Body or Agency regarding another legal entity and any public record which relates to the financial, legal or proprietary rights of a party other than the State are potentially within the category of public records to which particular care should be given prior to disposal.

Records which are subject to a Right to Information application are to be retained for the period specified in section 8 – INFORMATION MANAGEMENT of the *General Retention and Disposal Schedule for Administrative Records* in addition to their required retention period according to an approved retention and disposal schedule. The two periods run concurrently, and may result in a longer required retention period overall. This is in order to cover all appeal and review processes. Even though the records subject to an application may be ready for disposal according to an approved retention and disposal schedule at the time of the Right to Information application, the additional Right to Information retention requirements must still be applied.

The disposal of public records should be documented in accordance with the requirements of *Information Standard 31: Retention and Disposal of Public Records*.

For further advice on the retention and disposal of public records under an approved retention and disposal schedule, please refer to the Queensland State Archives website or contact Agency Services at Queensland State Archives on (07) 3131 7777.

### **Records created before 1950**

Records described in QDAN 705 v.1 that were created before 1950 should be referred to Queensland State Archives for further appraisal before any disposal action is taken by the public authority. For further advice please refer to the Public Records Brief: [Pre-1950s Public Records](#) which is 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 court' 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 (07) 3131 7777 for further details.

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# 1. ADMISSIONS AND APPOINTMENTS (LEGAL PROFESSION)

The function associated with the admission of qualified persons to the legal profession in Queensland and the appointment of persons to the position of Queen's Counsel. Also includes the appointment of costs assessors and account assessors.

See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to payments.

Reference	Description of records	Status	Disposal action
1.1	<p><b>ADMISSIONS AND APPOINTMENTS</b></p> <p><i>The activity related to applications made to the Supreme Court to be admitted to the legal profession in Queensland in accordance with the Supreme Court (Admission) Rules 2004. Also includes applications for the appointment of Queen's Counsel and costs assessors..</i></p>		
1.1.1	<p><b>Admissions/registration</b></p> <p>Records relating to applications for admission or registration as a legal practitioner in Queensland including applications by solicitors/barristers and legal practitioners from other parts of Australia and from New Zealand for registration under the <i>Mutual Recognition (Queensland) Act 1992</i> and the <i>Trans Tasman Mutual Recognition (Queensland) Act 2003</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• applications post 1999</li> <li>• notice of motions pre 1999</li> <li>• successful and unsuccessful or withdrawn applications</li> <li>• affidavits</li> <li>• certificates of a registrar stating the applicant's academic qualifications</li> <li>• certificates of admission</li> <li>• recommendation documentation</li> <li>• response statements</li> <li>• certificates of existing registration</li> <li>• copies of receipts from the Legal Practitioners Admissions Board</li> <li>• notices</li> <li>• statutory declarations.</li> </ul>	Temporary	Retain for 2 years after the data is entered into the <i>Roll of Lawyers</i> (Admission rolls) or application is unsuccessful.

Reference	Description of records	Status	Disposal action
1.1.2	<p><b><i>Appointments – Queen’s Counsel</i></b>  Records relating to applications by a barrister to be appointed as Queen’s Counsel formerly known as Senior Counsel. Includes unsuccessful applications.</p>	Temporary	Retain for 2 years after the data is entered into the <i>Roll of King’s Counsel, Queen’s Counsel and Senior Counsel</i> or application is unsuccessful.
1.1.3	<p><b><i>Admission rolls</i></b>  Admission rolls of persons admitted to the legal profession as a lawyer under the <i>Legal Profession Act 2007</i> and barristers appointed as King’s Counsel, Queen’s Counsel or Senior Counsel including:</p> <ul style="list-style-type: none"> <li>• the roll of solicitors and roll of barristers kept by the Supreme Court immediately before 1 July 2004</li> <li>• the roll of legal practitioners kept by the Supreme Court from 1 July 2004</li> <li>• the roll of King’s Counsel, Queen’s Counsel and Senior Counsel</li> <li>• electronic registers of any of the above.</li> </ul>	Permanent	Retain permanently.
1.1.4	<p><b><i>Appointments – costs assessors and account assessors</i></b>  Records relating to applications to be appointed as a costs assessor or an account assessor. Includes unsuccessful applications.  Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• affidavits</li> <li>• applications</li> <li>• appointment notifications</li> <li>• supporting documentation</li> </ul>	Temporary	Retain for 12 years after removal from register of costs assessors or refusal of application.

## 2. COURT AND TRIBUNAL SERVICES

*The function of providing civil and criminal justice by way of trial, hearing or consensus, in resolving matters in criminal cases and civil proceedings, and by hearing and determining appeals.*

*This function covers matters within the jurisdiction of the Supreme Court, including the Court of Appeal; the District Court, including the Planning and Environment Court and the Childrens Court of Queensland; the Land Court; the Land Appeal Court and the Magistrates Court including the Childrens Court, Industrial Magistrates Court and the Coroners Court. Also includes the Aboriginal Land Tribunal.*

Reference	Description of records	Status	Disposal action
2.1	<p><b>APPEALS</b></p> <p><i>The activities associated with requesting a formal change to an official decision of the prior decision maker by arguing that he or she misapplied the law, came to an incorrect factual finding, acted in excess of their jurisdiction, abused their powers, was biased, considered evidence which should not have been considered or failed to consider evidence that should have been considered</i></p>		
2.1.1	<p><b>Hearings - Supreme Court</b></p> <p>Records relating to all appeals about a civil or criminal proceeding heard in the Supreme Court either by a single judge or the Court of Appeal.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• application for leave to appeal / Notice of appeal</li> <li>• affidavits</li> <li>• copy of record book (CD)</li> <li>• notices</li> <li>• orders</li> <li>• submissions/outline of argument.</li> </ul>	Permanent	Retain permanently.
2.1.2	<p><b>Hearings - District Court (section 222)</b></p> <p>Records relating to appeals heard in the District Court by a single judge under s. 222 of the <i>Justices Act 1886</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• affidavits</li> <li>• judgements</li> <li>• notice of appeal</li> </ul>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• orders</li> <li>• submissions.</li> </ul>		
2.1.3	<p><b>Hearings – Civil - District Court</b></p> <p>Records relating to appeals heard in the District Court about civil proceedings where the matter was originally heard in the Magistrates court.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• judgements</li> <li>• notice of appeal</li> <li>• transcripts.</li> </ul>	Temporary	Retain for 12 years after last action.
2.1.4	<p><b>Appeals and Sentence Reviews – Childrens Court</b></p> <p>Records relating to sentence reviews and appeals to a Childrens Court judge under the <i>Youth Justice Act 1992</i> where the original sentence order was made by a Childrens Court magistrate.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• applications</li> <li>• affidavit / Submissions</li> <li>• court Judgments</li> <li>• legislative forms</li> <li>• orders</li> <li>• transcripts.</li> </ul>	Permanent	Retain permanently.
2.1.5	<p><b>Hearings - Land Appeal Court</b></p> <p>Records relating to appeals heard in the Land Appeal Court including cases that have been withdrawn.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• court judgments</li> <li>• copy of record book</li> <li>• filed documents</li> </ul>	Permanent	Retain permanently.



Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• orders</li> <li>• transcripts.</li> </ul>		
2.1.6	<p><b>Record Books</b></p> <p>Record books consisting of indexed paginated bundles of documents containing copies of material from the primary court hearing.</p> <p>Documents may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• copies of transcripts</li> <li>• exhibits</li> <li>• where appropriate, any material reports and records or other material directly relevant for the consideration and determination of the appeal hearing.</li> </ul>	Temporary	Retain for 4 years after last action.
2.2	<p><b>CASE MANAGEMENT</b></p> <p><i>The activities associated with the judicial management of cases.</i></p>		
2.2.1	<p><b>Aboriginal Land Tribunal</b></p> <p>Records relating to cases heard by the Aboriginal Land Tribunal as established under the <i>Aboriginal Land Act 1991</i> including cases that have been withdrawn.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• court judgments</li> <li>• filed documents</li> <li>• orders of the Court</li> <li>• transcripts.</li> </ul>	Permanent	Retain permanently.
2.2.2	<p><b>Civil – Childrens Courts (District and Magistrates Courts)</b></p> <p>Records relating to cases involving children heard by the Childrens Court of Queensland (District Court) or the Childrens Court (Magistrates Court) including:</p> <ul style="list-style-type: none"> <li>• adoption and surrogacy matters heard under the <i>Adoptions Act 2009</i> and the <i>Surrogacy Act 2010</i></li> <li>• applications relating to child protection and appeals against child protection orders made by a Magistrate</li> </ul>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• applications for care and protection and care and control under the now repealed <i>Children Services Act 1965</i> (records prior to the introduction of the Child Protection Act 1999).</li> </ul> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• affidavits</li> <li>• assessment orders</li> <li>• care and protection orders</li> <li>• care and control orders</li> <li>• child protection orders</li> <li>• interim orders.</li> </ul>		
2.2.3	<p><b><i>Civil – Land Court – Reported</i></b></p> <p>Records relating to precedent setting cases heard by the Land Court and reported in the <i>Queensland Land Court Reports</i> including cases heard by the Land Court where the matter has been appealed to the Land Appeal Court.</p> <p>Records can include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• copies of bank guarantees</li> <li>• cost assessment applications</li> <li>• court judgments</li> <li>• filed documents</li> <li>• transcripts.</li> </ul>	Permanent	Retain permanently.
2.2.4	<p><b><i>Civil – Land Court - Unreported</i></b></p> <p>Records relating to cases heard by the Land Court that are not reported in the <i>Queensland Land Court Reports</i> including cases that have been withdrawn.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• copies of bank guarantees</li> <li>• cost assessment applications</li> <li>• court judgements</li> <li>• filed documents</li> </ul>	Temporary	Retain for 7 years after last action.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• transcripts.</li> </ul>		
2.2.5	<p><b>Civil – Magistrates Court</b></p> <p>Records relating to civil cases filed in the Magistrates Court jurisdiction where a judgment or order has been given including records of hearings related to applications. Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• bank guarantees</li> <li>• claims and statements of claims</li> <li>• cost assessments</li> <li>• judgements</li> <li>• orders.</li> </ul>	Temporary	Retain for 12 years after date of judgment.
2.2.6	<p><b>Civil – Magistrates Court – not proceeded with</b></p> <p>Records relating to civil cases filed in the Magistrates Court jurisdiction which are not proceeded with.</p>	Temporary	Retain for 5 years after last action.
2.2.7	<p><b>Civil – Supreme and District Courts –significant cases</b></p> <p>Records relating to civil proceedings heard in the Supreme or District Court, including the Planning and Environment Court, that:</p> <ul style="list-style-type: none"> <li>• are selected by a judge or registrar to be exceptional, set a precedent, are notable for their contribution in developing the law, their factual complexity or the level of public interest generated</li> <li>• relate to certain court proceedings including: <ul style="list-style-type: none"> <li>○ Admiralty i.e. cases relating to ships or a ship’s crew</li> <li>○ Application for Leave to Swear Death - i.e. a declaration that a person is dead when a body cannot be located</li> <li>○ Commission - i.e. the appointment of a judge by the Governor</li> <li>○ Electoral Petition - i.e. a disputed election result or the conduct of political parties during an election</li> <li>○ Foreign Court proceedings – eg Examination of Witness - i.e. taking evidence of a witness for proceedings in a foreign court under the Hague Convention on</li> </ul> </li> </ul>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<p>taking evidence abroad or under s36 Evidence Act</p> <ul style="list-style-type: none"> <li>○ Protection Order (Public Trustee) - i.e. an order to safeguard the assets of a child or disabled person under a legal disability certified by the Public Trustee</li> </ul> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• bank guarantees</li> <li>• cost assessments.</li> </ul>		
2.2.8	<p><b><i>Civil – Supreme and District Courts – prior to UCPR</i></b></p> <p>Records relating to certain proceedings heard in the Supreme or District Court and created prior to the introduction of the <i>Uniform Civil Procedure Rules 1999 (UCPR)</i> on 1 July 1999.</p> <p>Record series include:</p> <ul style="list-style-type: none"> <li>• Miscellaneous applications</li> <li>• Motions</li> <li>• Orders to Administer and Elections</li> <li>• Orders to Show Cause</li> <li>• Originating Summons</li> <li>• Petitions</li> <li>• Writs.</li> </ul>	Permanent	Retain permanently.
2.2.9	<p><b><i>Civil – Supreme and District Courts – other case files</i></b></p> <p>Records relating to proceedings undertaken in the Supreme or District Court, including the Planning and Environment Court, not covered by reference numbers 2.2.7 and 2.2.8 above, including proceedings initiated before and after the introduction of the <i>Uniform Civil Procedure Rules 1999 (UCPR)</i>.</p> <p>Record series include:</p> <ul style="list-style-type: none"> <li>• Local Government Association (LGA)</li> <li>• Plaints.</li> </ul> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• affidavits</li> </ul>	Temporary	Retain for 12 years after last action.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• applications</li> <li>• bank guarantees</li> <li>• claims</li> <li>• cost assessments</li> <li>• defence</li> <li>• judgements</li> <li>• orders.</li> </ul>		
2.2.10	<p><b><i>Agreed bundle of documents/</i></b> Copies of disclosed documents provided to the court and used as a repository of the documents that may be referred to during a trial. Includes the eCourtbook used in Etrials, where copies of all documents to be relied upon at a hearing are stored and managed electronically.</p>	Temporary	Retain until expiry of appeal period.
2.2.11	<p><b><i>Family Law matters</i></b> Records relating to cases heard in the Supreme Court and Magistrates Court including:</p> <ul style="list-style-type: none"> <li>• maintenance cases for wives, husbands, children and related expenses created under the <i>Maintenance Act 1965</i>, or preceding Acts</li> <li>• family law cases heard under the <i>Family Law Act 1975</i> including property and parenting orders.</li> <li>• family law cases heard under the Matrimonial Causes Act 1959 and any prior repealed Acts</li> </ul>	Permanent	Retain permanently.
2.2.12	<p><b><i>Foreign Service</i></b> Records relating to the execution of requests by or from a foreign court, tribunal or authority to the Supreme Court Registry under the Hague or other convention or pursuant to rules of court, for service on a person in Queensland of any judicial process in a civil or commercial matter. Records can include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• affidavit</li> </ul>	Temporary	Retain for 12 years after last action.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• certificate of service</li> <li>• copies of the process to be served</li> <li>• letter of request.</li> </ul>		
2.2.13	<p><b><i>Industrial Magistrates Court</i></b> Records relating to cases heard in the Industrial Magistrates Court under the <i>Industrial Relations Act 1999</i>, or preceding acts relating to claims for wages, breaches of industrial agreements, compensation for wrongful dismissal and other industrial issues.</p>	Temporary	Retain for 12 years after last action.
2.2.14	<p><b><i>Mental Health Applications – Magistrates Court</i></b> Records relating to Mental Health applications including justice examination orders made under the <i>Mental Health Act 2000</i>.</p>	Temporary	Retain for 1 year after last action.
2.2.15	<p><b><i>Criminal Magistrates Court and Childrens Court (Magistrate)</i></b> Records relating to criminal cases heard in the Magistrates Court including:</p> <ul style="list-style-type: none"> <li>• cases heard in the former Drug Court</li> <li>• cases heard in the former Murri Court</li> <li>• cases committed by juveniles (under the age of 17) and heard in the Childrens Court (Magistrates Court).</li> </ul> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• bench charge sheets</li> <li>• subpoenas.</li> </ul>	Temporary	Retain for 12 years after the last court event.
2.2.16	<p><b><i>Criminal – Supreme, District and Childrens Court of Queensland (District)</i></b> Records relating to criminal cases heard in the Supreme and District Courts including cases committed by juveniles (under the age of 17) and heard in the Childrens Court of Queensland (District Court).</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• affidavits</li> <li>• applications</li> </ul>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• exhibit lists</li> <li>• indictment notices</li> <li>• orders</li> <li>• subpoena requests</li> <li>• verdicts</li> <li>• judgments</li> <li>• warrants.</li> </ul>		
2.2.17	<p><b><i>Affected Child Witness Recordings</i></b>  Prerecording of an affected child's evidence under Division 4A of the Evidence Act 1977 for use in relevant criminal and civil cases in accordance with the <i>Evidence Act 1977</i>. Includes any lawfully edited copies of the recording.</p>	Permanent	Retain permanently by the court.
2.2.18	<p><b><i>Covert Search Warrants</i></b>  Records relating to applications to a Supreme Court judge for a covert search warrant under s.212 of the <i>Police Powers and Responsibilities Act 2000</i> to enter and search a place for evidence.  Excludes surveillance warrants and related records issued under chapter 3, part 6 divisions 2 &amp; 3 of the <i>Crime and Corruption Act 2001</i> (previously <i>Crime &amp; Misconduct Act 2001</i>)</p>	Permanent	Retain permanently by the court.
2.2.19	<p><b><i>Search Warrants</i></b>  Records relating to search warrants issued by a Magistrate. Includes the application for a search warrant and any copies of the warrant kept by the Magistrate.</p>	Temporary	Retain for 15 years after last action.
2.2.20	<p><b><i>Special Witness recordings</i></b>  Prerecording of the evidence of a special witness under <i>Division 4</i>, of the <i>Evidence Act</i>, that which can be viewed and heard in the proceeding instead of direct testimony. Also includes any lawfully edited copies of the recording.</p>	Permanent	Retain permanently by the court.
2.3	<p><b>COURT MANAGEMENT</b>  <i>The activities associated with the support of court operations.</i></p>		

Reference	Description of records	Status	Disposal action
	<i>See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to Registers of Accountable Forms and Saleable Stock.</i>		
2.3.1	<p><b>Bailiff's Process Sheets</b></p> <p>Records created by the court registrar to record the serving of summonses and the execution of warrants by the Bailiff.</p>	Temporary	Retain for 7 years after last action.
2.3.2	<p><b>Courts listings</b></p> <p>Records relating to the scheduling of appearance and court hearings.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• court listings</li> <li>• court diary</li> <li>• daily court lists</li> <li>• court calendars</li> <li>• electronic set down for hearings</li> <li>• law lists.</li> </ul>	Temporary	Retain for 2 years after last action.
2.3.3	<p><b>Electoral Rolls</b></p> <p>Copies of electoral rolls and supplementary rolls required for the selection of jurors.</p>	Temporary	Retain until superseded.
2.3.4	<p><b>Practice Directions</b></p> <p>Master set of Practice directions issued by judges in the Supreme, District, Land and Magistrates Courts covering issues such as use of the court precinct, appearances by practitioners and parties, and case management.</p>	Permanent	Retain permanently.
2.3.5	<p><b>Justices of the Peace</b></p> <p>Records relating to the signing of documents by court registry staff in their role as a Justice of the Peace including applications for Search Warrants.</p>	Temporary	Retain for 12 years after last action.
2.4	<p><b>ENQUIRIES</b></p> <p><i>The activities associated with the handling of requests for information about the organisation and its services by the general public or another organisation.</i></p>		



Reference	Description of records	Status	Disposal action
	<i>See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to general court enquiries not related to a case, registrar's correspondence and web enquiries.</i>		
2.4.1	<p><b>Bankruptcy notices</b></p> <p>Records relating to notifications of bankruptcy issued under s.119A of the Commonwealth <i>Bankruptcy Act 1966</i> including enquiries seeking information on any current matters before the court involving a bankrupt or liquidation company; particulars of any current warrants or whether the court is holding any goods or monies in relation to the bankrupt or company.</p>	Temporary	Retain for 2 year after last action.
2.4.2	<p><b>CCTV requests</b></p> <p>Records relating to requests for access to closed circuit television (CCTV) recorded at Queensland Courts premises.</p> <p>Records can include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Letter of request / Approvals</li> <li>• Notice of disclosure</li> <li>• Copy of the footage</li> </ul> <p><i>See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to property surveillance recordings.</i></p>	Temporary	Retain for 2 years after last action.
2.4.3	<p><b>Search and copy requests</b></p> <p>Records of requests to access, inspect and/or copy court records, exhibits, subpoenaed material or transcripts.</p>	Temporary	Retain for 2 years after last action.
2.4.4	<p><b>Fire Warden records</b></p> <p>Records relating to fire wardens, including the Chief Fire Warden, in various districts.</p>	Temporary	Retain for 5 years after last action.
2.5	<p><b>GOVERNMENT SERVICE PROVISION</b></p> <p><i>The activities related to the provision of services by the court registry on behalf of other government agencies or where the court Registrar assumes additional roles by virtue of their position</i></p> <p><i>See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to Agreements.</i></p> <p><i>Where the Courts are providing services on behalf of other public authorities, dispose of the records in accordance with any relevant Memorandum of Understanding (MOU) or other arrangements. This may include transfer of the records back to the responsible public</i></p>		

Reference	Description of records	Status	Disposal action
	<i>authority or destruction of records in accordance with a retention and disposal schedule that covers the records of the service provided.</i>		
2.6	<p><b>JURY MANAGEMENT</b></p> <p><i>The activities related to the preparation of lists of prospective jurors for each jury district including the summoning and assembling of prospective jurors for jury service. Also includes the forming of panels of prospective jurors for civil and criminal trials</i></p> <p><i>See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to Accommodation, Allowances, Claim logs and Payments and Remuneration.</i></p>		
2.6.1	<p><b><i>Jury attendance books</i></b></p> <p>Records recording the attendance and payment details of jurors.</p>	Temporary	Retain for 7 years after last entry.
2.6.2	<p><b><i>Jury Rolls</i></b></p> <p>Records relating to lists consisting of persons qualified to serve as jurors within a particular jury district in accordance with s9 of the <i>Jury Act 1995</i>. Includes the names, addresses and occupations of electors whose addresses, as recorded in an electoral roll, are within the particular jury district.</p>	Temporary	Retain until reference ceases.
2.6.3	<p><b><i>Jury Selection</i></b></p> <p>Records documenting the eligibility and selection of jurors in accordance with the <i>Jury Act 1995</i>, including application to be excused from jury service.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Criminal history checks</li> <li>• Empanelment worksheets</li> <li>• Excusal requests</li> <li>• Lists</li> <li>• Notices</li> <li>• Panel cards</li> <li>• Questionnaires</li> <li>• Summons to jurors</li> </ul>	Temporary	Retain for 1 year after last action.
2.7	<p><b>PROBATE, WILLS AND ESTATE ADMINISTRATION</b></p> <p><i>The activities related to the granting of applications by persons for probate or letters of administration, which is the court's official recognition</i></p>		

Reference	Description of records	Status	Disposal action
	<i>that either the will is legally valid and or that that the person is authorised to deal with the estate, including orders to administer under the Public Trustee Act 1978. . Also includes proceedings heard in the Supreme or District Court relating to wills and estate administration and applications for statutory wills under the Succession Act 1981.</i>		
2.7.1	<p><b>Caveats (with probate)</b></p> <p>Records relating to the filing of a caveat in an estate matter to prevent any further steps being taken, where an application for the granting or sealing of probate, letters of administration or orders to administer has been filed.</p>	Temporary	Retain for 2 years after last action.
2.7.2	<p><b>Caveats (without probate)</b></p> <p>Records relating to the filing of a caveat in an estate matter to prevent any further steps being taken, where an application for the granting or sealing of probate, letters of administration or orders to administer is never filed.</p>	Temporary	Retain for 6 months after last action.
2.7.3	<p><b>Orders to Administer and Elections to Administer</b></p> <p>Records relating to applications for orders to administer, and elections to administer a deceased estate with or without a will under the <i>Public Trustee Act 1978</i>.</p>	Permanent	Retain permanently.
2.7.4	<p><b>Probate and letters of administration</b></p> <p>Records relating to the granting of probate or letters of administration in an estate matter including grants, wills, codicils, intestacy and resealing grants.</p> <p>Record series include:</p> <ul style="list-style-type: none"> <li>• Probate (Wills and Estates)</li> <li>• Letters of Administration (with and without will)</li> <li>• Renunciation</li> <li>• Reseals</li> <li>• Revocation of a Grant of Representation</li> </ul> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Applications</li> <li>• Affidavit</li> <li>• Caveat</li> </ul>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• Correspondence</li> <li>• Death certificate</li> <li>• Grant</li> <li>• Notices</li> <li>• Wills.</li> </ul>		
2.7.5	<p><b><i>Wills and Estate administration</i></b> Records relating to certain civil proceedings heard in the Supreme or District Court including:</p> <ul style="list-style-type: none"> <li>• Applications for Statutory Wills</li> <li>• Estate or Will Disputes</li> <li>• Revocation of a Grant of Representation</li> <li>• Testator Family Maintenance and Family Provision</li> </ul>	Permanent	Retain permanently.
2.8	<p><b>RECORDING AND TRANSCRIPTION SERVICES</b> <i>The activities associated with providing recording and transcription services of proceedings for the Supreme, District, Land, Industrial, Mental Health and Magistrates Courts, and the Queensland Industrial Relations Commission. Also includes reporting services for the Coroners Court, the Medical Assessment Tribunal and the Aboriginal Land Tribunal.</i></p>		
2.8.1	<p><b><i>Master Tape Books</i></b> Lists of all master tape numbers used in a particular court room and summary details of matters recorded on a particular master tape.</p>	Temporary	Retain until reference ceases.
2.8.2	<p><b><i>Recordings</i></b> Recordings of matters in a legal proceeding before a court, tribunal, inquest or person (including inquiries, examinations, or arbitration).including evidence given, rulings, directions, addresses, summing up, or any other matter. Recordings may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Audio, Video and Digital recordings</li> <li>• Dictation tapes</li> <li>• Master tapes</li> </ul>	Temporary	Retain until appeal period has expired and a transcription of the record has been made.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>Shorthand notations.</li> </ul>		
2.8.3	<p><b>Recordings - ex parte Magistrates Court</b></p> <p>Recordings of a hearing ex parte by a Magistrates Court of a simple offence or breach of duty or is of some other prescribed class of legal proceeding in respect of a simple offence or breach of duty.</p>	Temporary	Retain for 12 years after last action.
2.8.4	<p><b>Transcriptions – Supreme, District, Land Courts, Childrens Court (District Court), Coroners Court, Mental Health Court and Medical Assessment Tribunal</b></p> <p>Transcriptions from the master recording of a legal proceeding heard in the Supreme, District, Land Courts, Childrens Court (District Court), Coroners Court, Mental Health Court and Medical Assessment Tribunal. Includes written, typed, electronic or other mode of transcription.</p>	Permanent	Retain permanently.
2.8.5	<p><b>Transcriptions – Magistrates Court and Childrens Court (Magistrate)</b></p> <p>Transcriptions from the master recording of a legal proceeding heard in the Magistrates Court and the Children’s Court (Magistrate). Also includes the Industrial Magistrates Court, the Land Court, the QIRC and the Aboriginal Land Tribunal. Includes written, typed, electronic or other mode of transcription.</p>	Permanent	Retain permanently by the court.
2.9	<p><b>CASE MANAGEMENT SYSTEMS</b></p> <p><i>The activities associated with keeping and updating case management systems and other control records used to record details of court proceedings, any related processes and/or events for future reference.</i></p>		
2.9.1	<p><b>Case registration and control - electronic</b></p> <p>Datasets relating to the electronic registration of court proceedings, including details of criminal, civil and coronial hearings, fine collection and financial information including:</p> <ul style="list-style-type: none"> <li>Caseworks - Land, Court, Land Appeal Court and Aboriginal Land Tribunal</li> <li>Coroners Case Management System (CCMS) from July 2009 - For pre July 2009 reportable deaths, see Queensland Wide Interlinked Courts (QWIC)</li> <li>Court of Appeal Management System (CAMS) – civil and criminal appeals</li> <li>Criminal Registration System (CRS) - Supreme and District Courts to March 2005; Magistrates Court to 2000</li> </ul>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• <i>Queensland Civil Listing and Information Management System (CLAIMS)</i> - Magistrates Court civil cases. Also includes <i>Civil Register System (CRS)</i></li> <li>• <i>Queensland Wide Interlinked Courts (QWIC)</i> - criminal cases, Children's Court cases, Family Law Court cases, Industrial Magistrates Court cases, domestic violence matters, peace and good behaviour matters, reportable deaths and other various or miscellaneous applications. Includes the registration, scheduling of events and orders relating to a matter.</li> <li>• <i>Qcivil</i> – Supreme and District Courts civil matters</li> <li>• <i>Queensland Wide Interlinked Courts (QWIC)</i> – financial</li> <li>• <i>CLAIMS</i> – financial.</li> </ul> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• appeals details</li> <li>• case identification number</li> <li>• file notes</li> <li>• party and representation details</li> <li>• sentence details.</li> </ul> <p><i>See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to fine collection and financial management.</i></p>		
2.9.2	<p><b><i>Case registration and control - significant</i></b></p> <p>Records relating to the registration of significant court proceedings, including details of criminal, civil and coronial hearings in hardcopy formats.</p> <p>Registers may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Civil index</li> <li>• Record of Proceedings</li> <li>• Complaint and Record Books (excludes collection of monetary judgments and financial management)</li> <li>• Index to proceedings commenced otherwise than by Plaintiff</li> <li>• Index to proceedings commenced otherwise than by Writ</li> <li>• Miscellaneous register</li> </ul>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• Complaint book</li> <li>• Plaintiffs index.</li> <li>• Appeals against Magistrates Decision Register</li> <li>• Industrial Magistrates Register</li> <li>• Maintenance and Family Law Register</li> <li>• Wills and Statutory Wills Register - wills made, altered or revoked for a person without testamentary capacity as authorised by the court. Also includes the register for wills relating to the transfer of property forwarded by other agencies for probate.</li> </ul>		
2.9.3	<p><b><i>Case registration and control – other</i></b></p> <p>Records relating to the registration of court proceedings that are not included in references 2.9.1 and 2.9.2.</p> <p>Registers may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• <i>CLAIMS</i> - Datasets relating to the registration of small claims cases</li> <li>• Hardcopy registers and indexes of civil matters filed in the Supreme and District Courts prior to the introduction of Qcivil including: <ul style="list-style-type: none"> <li>○ Account Books (Administration of estates)</li> <li>○ Admiralty caveat books</li> <li>○ Admiralty minute book,</li> <li>○ Proceedings book and index</li> <li>○ Caveat book (probate)</li> <li>○ Reciprocal enforcement of judgments.</li> </ul> </li> <li>• Exhibits and Subpoenaed Material Register</li> <li>• Bank Guarantee Register</li> <li>• Bankruptcy Register</li> <li>• Court Suitor's Fund Register.</li> </ul> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• appeals details</li> <li>• case identification number</li> </ul>	Temporary	Retain for 12 years after last action.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• file notes</li> <li>• party and representation details</li> <li>• sentence details</li> <li>• summary records.</li> </ul>		
2.9.4	<p><b><i>Passport Register</i></b> Register comprising details of surrendered passports to be held by the Registrar pending a court order to release.</p>	Temporary	Retain for 5 years after last entry.
2.9.5	<p><b><i>Pre Recordings Register – Affected Child Witness</i></b> Register comprising details of Affected Child Witness recordings. Data may include, but is not limited to information about:</p> <ul style="list-style-type: none"> <li>• All original videotapes, CD's and DVD's (recordings)</li> <li>• Any copy of an original recording made</li> <li>• Any edited recording made</li> <li>• Receipt or movements of any such recording.</li> </ul>	Permanent	Retain permanently by the court.
2.9.6	<p><b><i>Students Approved and Media Approved Registers</i></b> Registers comprising details of the approval of students and media to be present during a Children's court case.</p>	Temporary	Retain for 2 years after last action.
2.9.7	<p><b><i>Vexatious litigants register</i></b> Register comprising details of vexatious litigants as defined under the <i>Vexatious Proceedings Act 2005</i>. Data may include, but is not limited to:</p> <ul style="list-style-type: none"> <li>• name</li> <li>• date of order</li> <li>• file number</li> <li>• comments</li> </ul>	Temporary	Retain for 80 years after last action.
2.9.8	<p><b><i>Register – cost assessors and account assessors.</i></b></p>	Permanent	Retain permanently by the



Reference	Description of records	Status	Disposal action
	Register of approved costs assessors and account assessors appointed under the <i>Uniform Civil Procedure Rules 1999</i> .		court.
2.10	<b>REPORTING</b> <i>The activities associated with the production of reports relating to the management of the civil and criminal courts.</i> <i>See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to Financial reports.</i>		
2.10.1	<b>Reports - Court Management</b> Reports produced relating to court management, which are required for statistical or informational purposes.	Temporary	Retain for 2 years after last action.

### 3. CORONIAL SERVICES

The function of investigating certain categories of death called “reportable deaths” under the Coroners Act 2003 with a view to making findings about the identity of the deceased, when and where they died, how they died and the medical cause of death including in some cases the holding of an inquest. Also includes the provision of legal, investigative, registry and administrative support to coroners to enable them to perform their functions under the Coroners Act 2003.

See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to Committees and Meetings.

Reference	Description of records	Status	Disposal action
3.1	<p><b>ENQUIRIES</b></p> <p><i>The activities associated with the handling of requests for information about the organisation and its services by the general public or another organisation.</i></p>		
3.1.1	<p><b>Access to investigation documents (person with sufficient interest)</b></p> <p>Records relating to applications for access to coronial documents by the public or other persons with sufficient interest, pursuant to s.54 of the <i>Coroners Act 2003</i>.</p>	Permanent	Retain permanently.
3.1.2	<p><b>Access to investigation documents (genuine researchers)</b></p> <p>Records relating to applications for access to coronial documents by genuine researchers in accordance with s.53 of the <i>Coroners Act 2003</i>.</p>	Temporary	Retain for 7 years after last action.
3.2	<p><b>INQUESTS</b></p> <p><i>The activity associated with the holding of a court hearing conducted by a coroner to gather more information about the cause and circumstances of certain deaths and includes the making of recommendations aimed at preventing similar deaths in the future. Also includes the holding of pre-inquest conferences. An Inquest must be held if:</i></p> <ul style="list-style-type: none"> <li>• <i>the person died in custody</i></li> <li>• <i>the death occurred while the person was in care and there are issues about the care that was provided</i></li> <li>• <i>the death occurred as a result of police operations (unless the coroner believes that an inquest is not required)</i></li> <li>• <i>the state coroner, Attorney-General or District Court directs an inquest to be held.</i></li> </ul>		
3.2.1	<p><b>Hearings</b></p> <p>Records relating to inquests conducted in the Coroners Court in accordance with the <i>Coroners Act 2003</i>.</p> <p>Records may include, but are not limited to:</p>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• Applications</li> <li>• Orders</li> <li>• Notices</li> <li>• Warrants</li> <li>• Findings / Recommendations</li> <li>• Coroners Comments</li> </ul>		
3.2.2	<p><b>Exhibits</b> Exhibits tendered at inquests where the coroner has not made any orders about custody pursuant to s.40 of the <i>Coroners Act 2003</i>.</p>	Permanent	Retain permanently.
3.3	<p><b>INVESTIGATIONS</b> <i>The activities related to the investigating of deaths in which the cause is uncertain, violent (including deaths that are the result of any trauma) or suspicious or that occur in circumstances that warrant their receiving special attention to establish; the identity of the deceased, when and where they died, the medical cause of death and the circumstances of the death. Also includes analysing systemic failures that contributed to the death and designing remedial responses. An investigation may or may not result in an inquest.</i></p>		
3.3.1	<p><b>Reportable deaths</b> Records relating to the investigation of reportable deaths as defined under s.8 of the <i>Coroners Act 2003</i>. Records can include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Police reports</li> <li>• Autopsy reports</li> <li>• Witness statements</li> <li>• Toxicology certificate</li> <li>• Photographs</li> <li>• Medical records / Test results</li> <li>• Expert reports</li> <li>• Coroners findings</li> </ul>	Permanent	Retain permanently.
3.4	<p><b>UNDERTAKING SERVICES</b></p>		

Reference	Description of records	Status	Disposal action
	<p><i>The activities related to the administration of arrangements for burials and cremations under the Burials Assistance Act 1965.</i></p> <p><i>See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to contracting and tendering for the transportation of deceased persons for autopsy under the Coroners Act 2003.</i></p>		
3.4.1	<p><b><i>Burials Assistance</i></b></p> <p>Records relating to applications to organise a simple burial or cremation of any deceased person whose assets cannot cover the cost of their funeral and whose relatives and friends are not able or willing to pay for their funeral.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"><li>• Applications</li><li>• Financial documentation</li><li>• Statutory declaration</li></ul>	Temporary	Retain for 7 years after last action.

## 4. LEGACY RECORDS – Supreme and District Courts

*This section covers legacy records which are no longer created by the Supreme Court, including the Court of Appeal; the District Court, including the Planning and Environment Court and the Children's Court of Queensland; the Land Court and the Land Appeal Court. Also includes the State Reporting Bureau and the Aboriginal Land Tribunal as well as the former Land and Resources Tribunal.*

*Please contact Queensland State Archives for advice regarding any other legacy records not listed below.*

Reference	Description of records	Status	Disposal action
4.1	<b>LEGACY RECORDS</b> <i>Records no longer created by the Supreme and District Courts.</i>		
4.1.1	<b>Article of Clerkship</b> Records relating to a Deed between a solicitor and a clerk relating to their training and employment.	Temporary	Retain for 7 years after last action.
4.1.2	<b>Article of Clerkship Register</b> Register of Articled Clerks.	Permanent	Retain permanently.
4.1.3	<b>Certificate of Disability</b> A certificate issued by the Public Trustee to empower the Public Trustee to administer the affairs of a disabled person. Records created up to and including the year 2000.	Permanent	Retain permanently.
4.1.4	<b>Chamber Certificate</b> Files relating to certificates issued by a solicitor stating that their employee is competent to appear in court. Records created up to and including 9 August 1999.	Temporary	Retain for 2 years after last action.
4.1.5	<b>Chamber Certificate Register</b> Index of trainee solicitors and legal clerks competent to appear in court on certain matters.	Temporary	Retain for 10 years after last action.
4.1.6	<b>Commissioner of Affidavits</b> Records relating to the appointment of Commissioners authorised to take affidavits created up to and including the year 1999.	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
4.1.7	<b><i>Custody and access of children</i></b> Records relating to proceedings brought to resolve issues relating to the custody and access of children.	Permanent	Retain permanently.
4.1.8	<b><i>Deed Polls</i></b> Records relating to signed and witnessed declarations by a person regarding a change of name from a particular date. Records created up to and including 1 February 2004.	Permanent	Retain permanently.
4.1.9	<b><i>Execution of Interstate Warrants</i></b> Records relating to interstate courts and tribunals requesting service on a person in Queensland in civil and criminal proceedings pursuant to the <i>Service and Execution of Process Act 1992</i> .for: <ul style="list-style-type: none"> <li>• subpoenas</li> <li>• initiating processes</li> <li>• enforcement of judgements</li> <li>• fines</li> <li>• the execution of warrants.</li> </ul>	Temporary	Retain for 12 years after last action.
4.1.10	<b><i>Land and Resources Tribunal Files - Notable</i></b> Case files of matters heard by the former Land and Resources Tribunal that were reported as notable.	Permanent	Retain permanently.
4.1.11	<b><i>Land and Resources Tribunal Files – other</i></b> Case files of matters heard by the former Land and Resources Tribunal that were not reported as notable.	Temporary	Retain for 7 years after last action.
4.1.12	<b><i>Original Assented Bills</i></b> Original copies of bills assented to by the Governor and lodged in the Registry of the Supreme Court.	Temporary	Retain for 7 years after last action.
4.1.13	<b><i>Registers – Land Appeal Court</i></b> Registers of Land Appeal Court Minutes and Decisions, c.1898 to 2001	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
4.1.14	<p><b>Registers – Land Court</b></p> <p>Registers of Land Court minutes and decisions and registers of matters filed under various acts including the <i>Water Act</i> and the <i>Land Tax Act</i>. Includes compensation claims, boundary disputes, fencing claims and other miscellaneous matters.</p>	Permanent	Retain permanently.
4.1.15	<p><b>Registers - Supreme and District Courts</b></p> <p>Registers and indexes for various proceedings heard in the Supreme and District Courts, including:</p> <ul style="list-style-type: none"> <li>• Aliens Register</li> <li>• Cause Book</li> <li>• Commissions for taking Affidavits.</li> </ul>	Permanent	Retain permanently.
4.1.16	<p><b>Registers - Supreme and District Courts</b></p> <p>Registers and indexes for various proceedings heard in the Supreme and District Courts, including:</p> <ul style="list-style-type: none"> <li>• Australian Register of Judgements Book</li> <li>• Farmers Assistance Act Book</li> <li>• Town Solicitors Addresses Book.</li> </ul>	Temporary	Retain for 12 years after last action.
4.1.17	<p><b>Religious Educational and Charitable Institutions Act (QLD) 1977</b></p> <p>Minutes and affidavits of religious and other institutions under this act.</p>	Permanent	Retain permanently.

## 5. LEGACY RECORDS – Magistrates Court

The following records are no longer created by the Magistrates Court including the Childrens Court and the Coroners Court.

Please contact Queensland State Archives for advice regarding any other legacy records not listed below.

Reference	Description of records	Status	Disposal action
5.1	<b>LEGACY RECORDS</b> <i>Records no longer created by the Magistrates Court.</i>		
5.1.1	<b><i>Australian Register of Judgments</i></b> Records relating to the registration in a Queensland Magistrates Court of a judgment from another State for enforcement.	Temporary	Retain for 12 years after last action.
5.1.2	<b><i>Debt Attachment Book</i></b> Registers relating to a plaintiff who has obtained a judgment for the payment of money from a defendant, who has insufficient funds to pay, but the defendant is owed money by a third party. May also be referred to as a Garnishee/Applications Register or Garnishee Proceedings Register.	Temporary	Retain for 12 years after last action.
5.1.3	<b><i>Execution Book</i></b> Registers relating to the enforcement of a judgment against unsuccessful parties in civil actions where the defendant (debtor) failed to make payments. May also be referred to as Warrants of Execution Book.	Temporary	Retain for 12 years after last action.
5.1.4	<b><i>Fair Rents Court</i></b> Records relating to applications and proceedings under the <i>Fair Rents Act 1920</i> .	Temporary	Retain for 12 years after last action.
5.1.5	<b><i>Fair Rents Court – Registers</i></b> Registers created to record cases heard in the Fair Rents Court. May be referred to as a Bench Record and Summons Book, Fair Rents Register or a Determinations Register.	Temporary	Retain for 12 years after last action.
5.1.6	<b><i>Farmers Assistance</i></b> Records relating to applications by farmers for financial assistance, including registers and files, made under the <i>Farmers' Assistance (Debts Adjustment) Act 1935</i> .	Temporary	Retain for 12 years after last action.



Reference	Description of records	Status	Disposal action
5.1.7	<b>Foreign Execution Re-issue Book</b> The endorsement of a warrant issued by another court for enforcement in the district of the current court. It records the court from which the warrant was issued, details of the plaint, warrant, plaintiff (creditor), defendant (debtor), amount owing, the date of execution or payment and the date the matter was returned to the home court.	Temporary	Retain for 12 years after last action.
5.1.8	<b>General Correspondence Files</b> Correspondence relating to the Chief Fire Warden, Art Unions and the Clerk of the Court as the Electoral Returning Officer.	Temporary	Retain for 5 years after last action.
5.1.9	<b>Judgment Book</b> Records relating to all judgments handed down in civil cases.	Permanent	Retain permanently.
5.1.10	<b>Plaint and Record Book</b> Registers of civil cases heard in the Magistrates Court. May also be referred to as a Plaint Book or Minute Book. These registers were replaced by the Record of Proceedings.	Permanent	Retain permanently.
5.1.11	<b>Index to Plaint and Record Book</b> Index to the registers of civil cases. May also be referred to as an Index to Plaint Book. This was replaced by the Civil Index.	Permanent	Retain permanently.
5.1.12	<b>Mining Warden's Court</b> Records of proceedings in the Mining Warden's Court.	Permanent	Retain permanently.
5.1.13	<b>Pension Claims</b> Records relating to pension applications lodged with the Magistrates Court under the Queensland <i>Old Age Pensions Act 1908</i> .	Permanent	Retain permanently.
5.1.14	<b>Pension Claims</b> Records relating to the receipt of pension applications on behalf of the Commonwealth Department of Social Security.	Temporary	Retain for 5 years after last action.
5.1.15	<b>Protection of Children</b>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	Court files dealing with orders relating to the care and protection and the care and control of children under the now repealed <i>Childrens Services Act 1965</i> . Records created prior to the introduction of the <i>Child Protection Act 1999</i> on the 23 <sup>rd</sup> of March 2000.		
5.1.16	<b>Registration of Printers and Newspapers</b> Registers containing details of printing press proprietors and newspapers under the <i>Printers and Newspapers Act Amendment Act 1971</i> .	Permanent	Retain permanently.
5.1.17	<b>Printing press</b> Printing Press and Newspaper files and associated correspondence.	Temporary	Retain for 6 years after last action.
5.1.18	<b>Small Claims Tribunals – with order</b> Court files of cases heard by the Small Claims Tribunal pursuant to the <i>Small Claims Tribunals Act 1973</i> where an order is made. Records may include, but are not limited to: <ul style="list-style-type: none"> <li>• Claims</li> <li>• Notation of the nature of the issue in dispute</li> <li>• Orders</li> </ul>	Temporary	Retain for 12 years after date of order.
5.1.19	<b>Small Claims Tribunals – without order</b> Court files of cases heard by the Small Claims Tribunal pursuant to the <i>Small Claims Tribunals Act 1973</i> where no order is made.	Temporary	Retain for 5 years after last action.
5.1.20	<b>Small Claims Tribunal Register</b> Registers recording details of minor civil claims filed with the Small Claims Tribunal. This has been replaced by the Small Claims Record of Proceedings. May also be referred to as the Plaint and Record Book for Small Claims.	Temporary	Retain for 12 years after last action.

Reference	Description of records	Status	Disposal action
5.1.21	<p><b><i>Small Debts Court Minute Book and Record Book</i></b> Registers of proceedings relating to civil claims under a set amount heard in the Small Debts Court.</p>	Permanent	Retain permanently.
5.1.22	<p><b><i>Sugar Industry Hearings</i></b> Records relating to the hearing of offences or breaches of an award under the <i>Regulation of Sugar Cane Prices Act 1962</i>.</p>	Temporary	Retain for 12 years after last action.
5.1.23	<p><b><i>Criminal Cases Register</i></b> Registers recording details of criminal cases. Includes associated indexes, including:</p> <ul style="list-style-type: none"> <li>• Bench Books</li> <li>• Bench Record Books</li> <li>• Bench Charge Books</li> <li>• Register of Charges and Sentences</li> <li>• Bench Summons Books</li> <li>• Bench Record and Summons Books</li> <li>• Register of Summons and Arrest Cases</li> <li>• General Application Books</li> <li>• Bench Complaint Sheet Register</li> <li>• Court Summary Sheets</li> <li>• Datasets from the Case Register System / CRS Criminal Archive</li> </ul>	Permanent	Retain permanently.
5.1.24	<p><b><i>Collection of Fines</i></b> Records relating to the collection of fines. Includes associated indexes, including:</p> <ul style="list-style-type: none"> <li>• Fines Card</li> <li>• Current Monetary Penalties List</li> <li>• Non-Current Monetary Penalties List</li> <li>• Register of Outstanding Fines</li> <li>• Outstanding Fines List</li> </ul>	Temporary	Retain for 7 years from end of last financial year.

Reference	Description of records	Status	Disposal action
5.1.25	<p><b>Central Accounting Records</b> Records relating to the payment of fines. This includes the Fines Cash Book, the Register of Fines, the Register of Fines Collected and the Register of Fines and Restitutions.</p>	Temporary	Retain for 7 years from end of last financial year.
5.1.26	<p><b>Register of Minutes of Conviction</b> Registers recording details of convictions. Previously referred to as Minutes of Conviction Book, Minutes of Conviction and Notices to Defendant of Order.</p>	Temporary	Retain for 5 years after last action.
5.1.27	<p><b>Probation Records</b> Records created under the <i>Offenders Probation and Parole Act 1959</i> which were not filed with the relevant Criminal File. This includes Probation Files and Registers of Probation Files.</p>	Temporary	Retain for 12 years after last action.
5.1.28	<p><b>Bailiff's Books</b> Records created by the court to record the serving of summonses and the execution of warrants by the Bailiff including:</p> <ul style="list-style-type: none"> <li>• Bailiff's Summons Books</li> <li>• Bailiff's Warrant Book</li> <li>• Bailiff's Book</li> <li>• Bailiff's Fee Register</li> <li>• Bailiff's Foreign Warrant Re-execution Book</li> <li>• Register of Writs of Fi Fa</li> </ul>	Temporary	Retain for 7 years after last action.
5.1.29	<p><b>Court reporting – Deposition Books</b> Records recording court depositions in civil and criminal trials</p>	Permanent	Retain permanently.

## 6. LEGACY RECORDS – Magistrates Court – Government Service Provision

The following records are no longer created on behalf of another government agency by the Magistrates Court, including the Childrens Court and the Coroners Court. Please contact Queensland State Archives for advice regarding other legacy records not listed below.

Reference	Description of records	Status	Disposal Action
6.1	<p><b>Licensing - liquor</b></p> <p>Records relating to applications for, and the issuing of, licences under the <i>Licensing Act 1885</i>, <i>Liquor Act 1886</i> and the <i>Liquor Act 1912</i>. This includes:</p> <ul style="list-style-type: none"> <li>• Liquor Licence Applications</li> <li>• Liquor Permits</li> <li>• Liquor Permit Application Register</li> <li>• Victualler's Licences (authorising the sale of liquor and the provision of accommodation)</li> <li>• Wine-Seller's Licences</li> <li>• Packet Licences (authorising vessel captains to sell liquor on board the ship)</li> <li>• Booth Licences (authorising the sale of liquor at a public event for less than 7 days);</li> <li>• Billiard or Bagatelle Licences</li> <li>• Unlicensed Club Permits and</li> <li>• Entertainment Permits (encompassing dancing, singing, music or theatrical performances on licensed premises).</li> </ul>	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority.
6.2	<p><b>Licensing – auctioneers, real estate agency, motor dealers and debt collectors</b></p> <p>Records relating to applications for, and the issuing of, licences under the <i>Auctioneers Act 1864</i>; <i>Auctioneers and Commission Agents Act 1922</i>; <i>Auctioneers, Real Estate, Debt Collectors and Motor Dealers Act 1960</i>; and the <i>Auctioneers and Agents Act 1971</i>. This includes licences relating to:</p> <ul style="list-style-type: none"> <li>• Auctioneers</li> <li>• Real Estate Agents</li> <li>• Motor Dealers and</li> <li>• Debt Collectors.</li> </ul>	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority

Reference	Description of records	Status	Disposal Action
6.3	<p><b>Licensing - tobacco</b></p> <p>Records relating to applications for, and the issuing of, licences to sell or deal in tobacco, cigars or cigarettes under the <i>Tobacco Act 1894</i> (repealed 1958).</p>	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority
6.4	<p><b>Licensing - slaughtering</b></p> <p>Records relating to applications for, and the issuing of, licences under the <i>Slaughtering Act 1898</i>, <i>Slaughtering Act Amendment Act 1901</i>, <i>Slaughtering Act 1951</i> and the <i>Slaughtering Act Amendment Act 1958</i> (repealed 1965).</p>	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority
6.5	<p><b>Local Sugar Cane Prices Board</b></p> <p>Records of Local Sugar Cane Prices Boards created under the <i>Regulation of Sugar Cane Prices Act 1915</i>. (N.B. – This excludes court records detailing offences under the Act or breaches of an award).</p>	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority
6.6	<p><b>Registration- businesses</b></p> <p>Register of Firms. May also be referred to as a Register of Business Names.</p>	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority
6.7	<p><b>Registration - crops and wool</b></p> <p>Records relating to the registration of Bills of Sale, Stock Mortgages, Liens upon certain Crops and Liens on Wool under the <i>Bills of Sale and Other Instruments Act 1955</i>, <i>State Securities Registration Act 1925</i>, <i>Bills of Sale Acts 1891-1896</i>, and the <i>Mercantile Acts 1867-1896</i>.</p>	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority
6.8	<p><b>Registration- timber sales</b></p> <p>Records documenting particulars of timber sales in order to control and measure sales and prevent illegal operations.</p>	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority
6.9	<p><b>Registration - births, deaths and marriages</b></p>	-	Transfer to public authority

Reference	Description of records	Status	Disposal Action
	Records created by a Magistrates Court Registrar acting as the Assistant District Registrar for Births, Deaths and Marriages. This includes the Register of Births, Deaths and Marriages, Record of Applications Received, Applications for Shortening Time, Memorandum Book of Certificates and the Record of Certificates Received.		with current responsibility for the function or dispose as per existing agreement with responsible public authority
6.10	<b>Register of Labour Undertakings</b> Records created where the Clerk of Petty Sessions acted as a labour agent under the <i>Co-ordination of Employment Facilities Act 1941</i> and records employment offered to unemployed labourers during Depression periods. May also be referred to as Register of Orders Received for Refunds of Fares.	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority
6.11	<b>Electoral Commission</b> Records relating to activities carried out on behalf of the Electoral Commission. This includes the Returning Officer Register and any Applications for Enrolment still held in the court house.	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority
6.12	<b>Traffic Offences</b> Records relating to the payment of traffic fines.	-	Transfer to public authority with current responsibility for the function or dispose as per existing agreement with responsible public authority

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