## SETTING RESTRICTED ACCESS PERIODS (RAP)—A PRACTICAL GUIDE

Queensland State Archives

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| These are as listed in the Public Records Act 2002 | Examples of relevant legislative provisions, (not exhaustive) | | Most records are of a non-personal or non-sensitive nature. They will likely also have little to no impact on business or agency interests. | - 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) |
| 1. All public records (if not relevant under another category) | Public Records Act 2002, Section 16 (4c) | - **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. | | |
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| 2. Personal affairs of an individual | Public Records Act 2002, Section 16 (4a) | • **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. | 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.  
Consider if:  
• 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.  
Sensitivity could be considered in three levels:  
**Low Sensitivity – 0-30 years**  
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. | • 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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| These are as listed in the *Public Records Act 2002* | Examples of relevant legislative provisions, (not exhaustive) | **Medium Sensitivity** – 31-65 years  
Contains more detailed information of details but may include relationships to other people, employment details, culturally sensitive material and financial affairs.  
**High Sensitivity** – 66-100 years  
Contains detailed information of a person of a sensitive nature and may include sensitive medical records, culturally sensitive material and mental health records. | Records containing information created during the process of giving or obtaining legal advice or providing legal services.  
Records containing information created in confidence under the understanding the information is for a restricted purpose.  
Generic listing that does not contain names would likely have open description. | *Information related to litigation*  
*Legal advice files*  
*Confidential witness statements*  
*Confidential submissions*  
*Commercial-in-confidence* |
| **3. Information subject to legal Professional Privilege** | *Public Records Act 2002*, Section 16 (4b)  
*Right to Information Act 2009*, Schedule 3, Section 7 | • **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. | | |
| **4. Information whose disclosure would be found to be a breach of confidence** | *Public Records Act 2002*, Section 16 (4b)  
*Right to Information Act 2009*, Schedule 3, Section 8 | • **Closure period of between 0-65 years.**  
• Item description available in the online catalogue by default. | | |
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<td>• Provide justification if item description is not to be available online.</td>
<td>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.</td>
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• Item Description available in the online catalogue by default.  
• Provide justification if item description is not to be available online. | This is information that could reasonably be expected to damage the security of the Commonwealth or State.  
Consider whether:  
• information is current, buildings still exist etc.  
• if the information is available in the public domain e.g. google maps, government websites, evacuation plans. | • Plans of public buildings  
• Schematics of public transport  
• Key elements of gas, power and water delivery  
• Disaster and emergency response/recovery plans |
| | | | Low to Medium Sensitivity – 0-30 years.  
High Sensitivity – 31-65 years. | | |
### Access categories
These are as listed in the *Public Records Act 2002*

### Legislation
Examples of relevant legislative provisions, (not exhaustive)

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| 6. Law enforcement or public safety information | *Public Records Act 2002*, Section 16 (4b) *Right to Information Act 2009*, Schedule 3, Section 10 | • **Closure Period of between 0-65 years.**  
  • Description open by default and closed by exception.  
  • Provide justification for closing description. | This is information that could:  
  • 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.  
  Consider if the information is available in the public domain e.g. open court proceedings, media coverage, google maps.  
  **Low to Medium Sensitivity – 0-30 years.**  
  **High Sensitivity – 30-65 years.** | • Crime and corruption investigations  
 • Murder files  
 • Criminal files  
 • Plans of public buildings  
 • Security procedures and plans  
 • Bench records and summons |
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| These are as listed in the *Public Records Act 2002* | *Public Records Act 2002*, Section 16 (1A)  
*Right to Information Act 2009*, Schedule 3, Section 2 | • **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. | • 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 |

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| 8. Executive Council information and ministerial records | *Public Records Act 2002*, Section 16 (1a, b, c)  
*Right to Information Act 2009*, Schedule 3, Section 3 | • **Closure period of 30 years**  
• Most Item description is available in the online catalogue by default.  
• Provide justification for closing description. | Records submitted or proposed to be submitted to the Executive Council including any drafts or copies.  
This includes briefings for ministers, the Governor of Queensland or Chief Executives. | • A Ministerial record, a record of an Assistant Minister  
• Executive council minutes, submissions, proposals, supporting documentation or a draft of any of the above |