



Records disposal schedule

Records Disposal Schedule Commercial Passenger Vehicle Regulation Department of Transport

Disposal Schedule No. 2013/4

June 2013

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Preamble

Introduction

The *Information Act* states that public sector organisations must safeguard their records and must not delete or otherwise dispose of a record unless authorised to do so¹. Disposal of records is permitted through the use of records disposal schedules and enable regular, planned and authorised disposal of records controlled by an agency.

Records retention decisions are based on:

- the current and future business needs of the organisation
- compliance with legal and governance requirements of the organisation
- the current and future needs of internal and external stakeholders, including the wider community.

Records disposal schedules provide continuing authorisation for the legal disposal of records and are authorised by the records service, archives service and chief executive officer of the public sector organisation responsible for the schedule.

Records disposal schedules apply to records created and maintained in any format, including electronic records, records in business systems, and parts of records.

In the Northern Territory government there are two types of records disposal schedules:

- General administrative functional records disposal schedules that apply to records common to most or all NT government public sector organisations, and
- Specific functional records disposal schedules that apply to records unique to an NT government public sector organisation or function.

Specific functional records disposal schedules should be used in conjunction with general administrative functional records disposal schedules.

Structure of a Records Disposal Schedule

Records disposal schedules set out minimum requirements for the creation, maintenance, retention or destruction actions to be taken in relation to existing or future records described in each class. Records disposal schedules specify

- a) whether a class of record has temporary or permanent status;
- b) the retention period for a temporary class of record;
- c) authorised disposal actions for a class of record.²

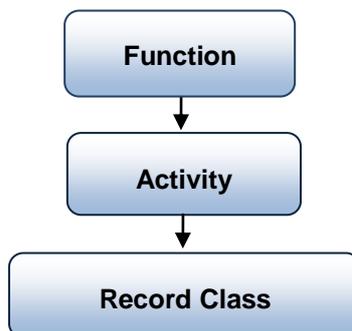
Each class of records created by an agency is described using classifications based on business analysis.

Disposal schedules are developed using the functional structure based on the business classification scheme of the *Keyword AAA: A Thesaurus of General Terms* produced by the State Records Authority of NSW and modified for use by NT government public sector organisations.

¹ S.145 *Information Act*

² S.136A(3) *Information Act*

Within the schedule, functions are documented as the highest level terms and business activities under the functions, followed by record classes, as shown below:



Function

The function or keyword is the highest level in the classification scheme in this disposal schedule. The function is indicated at the start of each section and a description (scope note) provided.

Activity

Activities are the processes or operations that make up the business function. This is the second level in the classification scheme in this disposal schedule. The description (scope note) provides details of the transactions that take place in relation to the activity, for example, REPORTING or POLICY.

Record Class

A record class is a group of records that relate to the same activity, function or subject and require the same disposal action. The descriptions can relate to one record (such as a register) or a group of records documenting a particular set of business transactions.

Status and Disposal Action

The appraisal status of a record class is assigned as either permanent or temporary.

Permanent Records: Records appraised with permanent status have been identified as archives and must be transferred to the NT Archives Service for their preservation and eventual public access.

The retention period for permanent records is the maximum period before the records must be transferred to the NT Archives Service. Permanent records must be transferred no later than 30 years after creation in accordance with the *Information Act*, unless exemption has been granted (see Archives Management Standards Transfer of Archives, and Exemption from Compulsory Transfer of Permanent Records to the NT Archives Service). An Application to Transfer Records form must be submitted to the NT Archives Service before records will be accepted for transfer.

Temporary records: The retention period for temporary records is the **minimum** period before the records can legally be destroyed. The retention period is calculated after an event or a disposal trigger such as 'date of action completed', 'date of audit' or 'date of birth'. Destruction should be done following consultation with relevant operational business employees responsible for the records.

Retention periods for temporary records in a records disposal schedule are minimum periods only and agencies may keep records for a longer period if considered necessary for business requirements.

Reasons for longer retention could include,

- administrative need or agency directives,
- legal requirements such as current or pending legal action,
- relevance to an investigation or inquiry which is in progress,
- is subject to an Information Access application, or
- subject to a disposal freeze.

Records created prior to 1 July 1978

Records created prior to 1 July 1978 must not be disposed of without the authorisation of the NT Archives Service in accordance with Archives Management Standard Records Created Prior to 1978, unless specified in a schedule.

Sentence records with this records disposal schedule using the following five steps:

1. Determine the appropriate function and activity of the records. This can be done by examining an existing record or when creating a new record.
2. Identify the disposal class.
3. From the disposal action in the class, identify the trigger event and a date when the record can be disposed of, alternately, identify that the record is to be retained permanently as archives.
4. If the trigger event has already occurred (such as action is completed), confirm and implement the disposal action.
5. If the trigger event has not occurred (e.g. the record is still in active use), set a review date for the future.

About this Records Disposal Schedule

Purpose

The purpose of this Records Disposal Schedule is to enable regular, planned and authorised disposal of Commercial Passenger Vehicle Regulation records of the Department of Transport.

Scope

Application of this Records Disposal Schedule is mandatory for Commercial Passenger Vehicle Regulation records of the Department of Transport.

This Records Disposal Schedule applies to Commercial Passenger Vehicle Regulation records in all formats.

Responsibility

The Chief Executive of the Department of Transport is responsible for the content and implementation of this Records Disposal Schedule including the provision of advice and training, and for monitoring compliance.

Authority

This Records Disposal Schedule is authorised in accordance with s.136B of the *Information Act*.

Disposal Schedule No. 2013/4 was approved by the Director of the NT Archives Service, Department of Arts and Museums (the Archives Service), Director, ICT Policy and Strategy, Department of Corporate and Information Services (the Records Service), and the Chief Executive of the Department of Transport on 27 June 2013 and is effective immediately.

Regulatory Framework

The regulatory basis for this Records Disposal Schedule is defined in:

- *Commercial Passenger (Road) Transport Act*
- *Commercial Passenger (Miscellaneous) Regulations*
- *Information Act*
- NT Government Records Management Standards
- NT Government Archives Management Standards
- Australian Standards AS ISO 15489:2002-Records Management

Related Documents

This Records Disposal Schedule is to be read in conjunction with:

- NT Government Records Management Standard – Records Disposal
- Policies and procedures of the Department of Transport
- Current authorised disposal schedules for the Department of Transport

Normal Administrative Practice and Records of Short Term Value

Organisations are permitted to dispose of short-term or transitory records (for example, background notes, office messages, meeting requests, and drafts of reports and briefs with no significant impact upon the finished product/position) as part of normal administrative practice. Destruction in this manner usually occurs because the records are duplicated, unimportant or for short-term use only.

In addition, records that have been captured into a recordkeeping system should be destroyed using the *Disposal Schedule for Records of Short Term Value* unless the class of records has been identified in a specific disposal schedule.

The guiding principle is that organisations should be sure that destroying these records will not destroy evidence that might be needed for business or other purposes.

Notification of Destruction

Provide the Records Service, Department of Corporate and Information Services with formal notification of destruction of all records using the Notification of Destruction of Records form.

Note: In the case of the *Disposal Schedule for Records of Short Term Value* (Disposal Schedule No. 2003/10), notification is only required for the destruction of records described in Disposal Class No. 1.10.1.

Acknowledgement

The NT Archives Service and the NT Records Service acknowledge that material produced by National Archives of Australia, State Records Authority of New South Wales, State Records of South Australia, Public Records Office of Victoria, Territory Records Office and Standards Australia was used in the development of this schedule.

The schedule was drafted principally by the Department of Transport in consultation with the NT Records Service.

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Compliance Checklist

- Implement a records disposal program to ensure regular appraisal, sentencing, destruction and transfer of all records
- Assign responsibility for the management and application of regular records disposal action using authorised records disposal schedules, to an appropriately skilled records manager who consults with the NT Archives Service and NT Records Service
- Familiarise all employees of the organisation with the authorised records disposal schedules relevant to the organisation's records
- Identify and sentence all records described in this schedule in all formats including electronic records and records in business systems, copies of records and parts of records
- Ensure all copies of temporary records are destroyed in any format (including backups), unless otherwise stated in a disposal schedule
- Apply this records disposal schedule to records in the organisation's records management systems, including systems for the management of paper records, electronic records, or records in any other format
- Apply this records disposal schedule to records in the organisation's business systems, either directly or by linking the business system to a records management system
- Implement quality assurance mechanisms to periodically check that the disposal class originally assigned at the creation of the records is still applicable at the time of sentencing of the record
- Implement review or quality control procedures in recordkeeping systems to ensure disposal actions are implemented correctly
- Identify records that require re-sentencing where a previous disposal schedule has been superseded
- Stop applying sentences from previous schedules that have been revoked or amended
- Retain all records in good order and condition to be available for retrieval during the retention period.
- Identify and update control records so that you can demonstrate what happened to each record, whether paper or electronic
- Implement an appropriate and approved strategy for retention of records of continuing value, eg. preservation in original form, migration to new systems, and conversion to long term medium
- Dispose of all records sentenced according to this schedule in all formats including electronic records and records in business systems, copies of records and parts of records
- Transfer records of permanent value to the NT Archives Service for retention as archives not later than 30 years after creation
- Inactive records can be transferred to offsite service providers providing they have been sentenced
- Destroy time expired temporary records in a secure manner that ensures complete deletion/destruction beyond any possible reconstruction
- Notify the NT Records Service of destruction of all records
- Do not destroy records that are not described in an authorised records disposal schedule.
- Do not destroy any records created prior to 1 July 1978 without specific authorisation from the NT Archives Service

Disposal Schedule

1. Commercial Passenger Vehicle Regulation

The function of regulating the carrying of passengers in motor vehicles for hire, reward, and for related purposes under the Commercial Passenger (Road) Transport Act. This includes authorising the accreditation and licensing of all commercial passenger vehicle operators and drivers, administering the Commercial Passenger (Road) Transport Act and making amendments where necessary, and advising the Minister, external organisations and the public on all commercial passenger vehicle regulation issues.

Note; Commercial Passenger Vehicle means a taxi, private hire car, limousine, special function vehicle, minibus, courtesy vehicle, motor omnibus, tourist vehicle or special passenger vehicle.

Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.1 Advice

The activities associated with offering opinions by or to the organisation as to an action or judgement. Includes the process of advising.

Class No.	Description of Records	Status and Disposal Action
1.1.1	Records relating to formal advice of major significance provided to the Minister on the commercial passenger vehicle function, that lead to significant policy changes or major precedents ie taxi issues, policies and standards. Includes professional associations, other agencies and other transport bodies. Includes advice on topics such as operators specific circumstances.	PERMANENT Transfer to the NT Archives Service 10 years after action completed
1.1.2	Records relating to gazette notices where the Minister has declared taxi areas, minibus areas, determination of taxi fares, CPI changes, taxi ballots and taxi caps.	PERMANENT Transfer to the NT Archives Service 10 years after action completed
1.1.3	Records relating to routine advice provided to and from the agency and other professional associations, private sector organisations, community groups and Industry groups on community service obligations, schemes and accreditation requirements.	TEMPORARY Destroy 3 years after action completed

1. Commercial Passenger Vehicle Regulation

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1.2 Appeals (decisions)

The activities involved in the process of appeals against decisions by application to a higher authority.

Class No.	Description of Records	Status and Disposal Action
1.2.1	Records relating to appeals against decisions by the agency in regard to the accreditation of operators of a Commercial Passenger Vehicle and the licensing of a commercial passenger vehicle driver.	TEMPORARY Destroy 5 years after action completed

Use Legal Services – Litigation for records relating to appeals that proceed to litigation.

1. Commercial Passenger Vehicle Regulation

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Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.3 Authorisation

The process of seeking and granting permission.

Class No.	Description of Records	Status and Disposal Action
1.3.1	Records relating to delegations of power to agency staff to authorise administrative action relating to the commercial passenger vehicle function ie appointment of inspectors and deputy registrars and delegations to the director. Includes letter of appointments and copies of Inspector identity cards.	PERMANENT Transfer to the NT Archives Service 10 years after action completed
1.3.2	Records relating to successful and unsuccessful applications for approved security camera installers. Includes applications, terms and conditions, copy of manuals, copy of insurance policies and other supporting documentation.	TEMPORARY Destroy 5 years after approval lapses
1.3.3	Records relating to taxi ballots for the purpose of allocating available taxi licences such as Multiple Purpose Taxi Licences, Standard Taxi Licences etc Includes original applications, register of ballot application numbers drawn and their order, copies of notices to successful and unsuccessful applicants.	TEMPORARY Destroy 5 years after action completed

1. Commercial Passenger Vehicle Regulation

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1.3.4	<p>Records relating to successful accreditation of operators of a commercial passenger vehicle and commercial passenger licences ie taxi, private hire car, limousine, special function vehicle, minibus, courtesy vehicle, motor omnibus, tourist vehicle or special passenger vehicle.</p> <p>Includes applications, NT Police Criminal History Check, Insolvency check and company or business extracts. May include licence exemptions.</p>	<p>TEMPORARY</p> <p>Destroy 5 years after licence has expired, cancelled, surrendered or transferred</p>
1.3.5	<p>Records relating to unsuccessful accreditation of operators of a commercial passenger vehicle and commercial passenger vehicle licences ie taxi, private hire car, limousine, special function vehicle, minibus, courtesy vehicle, motor omnibus, tourist vehicle or special passenger vehicle.</p> <p>Includes original application, NT Police Criminal History Check, Insolvency Check and other related correspondence.</p>	<p>TEMPORARY</p> <p>Destroy 5 years after date of decision communicated</p>
1.3.6	<p>Records relating to commercial passenger vehicle licences that have been surrendered before the licence expires.</p> <p>Includes receipt of refunds for prescribed licence fees and other related correspondence.</p>	<p>TEMPORARY</p> <p>Destroy 5 years after licence surrendered</p>
1.3.7	<p>Records relating to successful applications for the NT Taxi Subsidy Scheme where financial assistance for taxi travel is approved.</p>	<p>TEMPORARY</p> <p>Destroy 5 years after licence has expired, cancelled or surrendered</p>

1. Commercial Passenger Vehicle Regulation

The function of regulating the carrying of passengers in motor vehicles for hire, reward, and for related purposes under the Commercial Passenger (Road) Transport Act. This includes authorising the accreditation and licensing of all commercial passenger vehicle operators and drivers, administering the Commercial Passenger (Road) Transport Act and making amendments where necessary, and advising the Minister, external organisations and the public on all commercial passenger vehicle regulation issues.

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Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

Includes applications, evidence of identity, proof of residency, copies of passport size photos, copies of medical assessment reports, evidence of pension or other benefits, consent forms to share photos, and other supporting documentation.

1.3.8

Records relating to unsuccessful applications for the NT Taxi subsidy scheme where financial assistance for taxi travel is not approved.

TEMPORARY

Destroy 5 years after date decision communicated

Includes applications, evidence of identity, proof of residency, copies of passport sized photos, copies of medical assessment reports, evidence of pension of benefits, and other supporting documentation.

1. Commercial Passenger Vehicle Regulation

The function of regulating the carrying of passengers in motor vehicles for hire, reward, and for related purposes under the Commercial Passenger (Road) Transport Act. This includes authorising the accreditation and licensing of all commercial passenger vehicle operators and drivers, administering the Commercial Passenger (Road) Transport Act and making amendments where necessary, and advising the Minister, external organisations and the public on all commercial passenger vehicle regulation issues.

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Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.4 Client Service

The activities associated with planning, delivering, monitoring and evaluating services provided to clients by the organisation.

Class No.	Description of Records	Status and Disposal Action
1.4.1	Records relating to complaints from members of the public about commercial passenger vehicle operators and drivers. Includes written complaint letters, written suggestions, written responses, and email messages. May include witness statements and other related documentation.	TEMPORARY Destroy 5 years after action completed
1.4.2	Records relating to the planning, monitoring, and evaluation of customer services provided to the agency's public clients such as managing an enquiry desk or a telephone service. Includes customer survey responses.	TEMPORARY Destroy 3 years after action completed

1. Commercial Passenger Vehicle Regulation

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Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.5 Committees

The activities associated with the management of committees, boards and task forces (internal and external, private, local, state, Commonwealth etc.) Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes, reports, agendas etc.

Class No.	Description of Records	Status and Disposal Action
1.5.1	Records relating to the meetings of the Commercial Passenger Vehicle Board. Includes establishment and appointment of members, terms of reference proceedings, minutes, agendas and business papers.	PERMANENT Transfer to the NT Archives Service 10 years after action completed
1.5.2	Records relating to meetings of national committees where the agency is the NT Governments main representative or rotated convenor such as Australian Transport Council (ATC) and the Standing Committee on Transport (SCOT).	TEMPORARY Destroy 5 years after action completed
1.5.3	Records relating to working papers documenting the administration of committees. Includes draft agendas, notices of meetings and arrangements for venues, catering and sitting fees.	TEMPORARY Destroy 2 years action completed

1. Commercial Passenger Vehicle Regulation

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Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.6 Compliance

The activities associated with complying with, mandatory or optional accountability, fiscal, legal, regulatory or quality standards or requirements. Includes compliance with legislation and with national and international standards.

Class No.	Description of Records	Status and Disposal Action
1.6.1	Records relating to the installation of security cameras in taxis and minibuses. Includes approved applications, a copy of the vendor identification, receipts of prescribed refunds, statements of compliance by an approved supplier, testing documentation, copy of camera operating instructions and copies of signage to be affixed to the taxi or minibus.	TEMPORARY Destroy 7 years after action completed
1.6.2	Records related to the action taken when a licensee is, or has been charged with a disqualifying offence. E.g. Possession of child abuse material, attempts to procure a child under the age of 16 years, attempt to murder etc. Includes written advice to the Director stating particular offence, copies of suspension notices, and requests for review letters addressed to the CEO. May include local court orders and other related documentation.	TEMPORARY Destroy 5 years after action completed

1. Commercial Passenger Vehicle Regulation

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Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.7 Control

The activities associated with creating, maintaining and evaluating control mechanisms eg Thesaurus.

Class No.	Description of Records	Status and Disposal Action
1.7.1	Records relating to the Register of Accredited persons in MOVERS Business System. Includes names, date registered, licence category, terms of licence, license numbers, business trading names, criminal history checks, renewal dates, number plates and identification numbers etc.	PERMANENT Transfer to the NT Archives Service 10 years after action completed

1. Commercial Passenger Vehicle Regulation

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Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.8 Infringements

The activities associated with handling breaches of rules. Includes driving or traffic infringements and infringements of the organisation's intellectual property.

Class No.	Description of Records	Status and Disposal Action
1.8.1	<p>Records relating to the issue of commercial passenger vehicle operators and registration infringements as specified in the Commercial Passenger Vehicle Regulations Act such as operating a taxi within a taxi area not specified in licence, charging a fare or charge greater than that determined in determination, parking or standing a taxi in a bus stop during route service hours, failure to display identity card or soliciting passengers etc.</p> <p>Includes copies of infringement notices and receipt of monies. May include copies of withdrawals of infringement notices.</p>	<p>TEMPORARY</p> <p>Destroy 3 years after action completed</p>

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1.9 Inspections

The process of official examinations of facilities, equipment, vehicles and vessels to ensure compliance with agreed standards and objectives.

Class No.	Description of Records	Status and Disposal Action
1.9.1	Records relating to the process of routine inspections of premises, facilities, equipment and vehicles relating to the commercial passenger vehicle function. Includes inspection reports and administrative arrangements. May include requests for inspections.	TEMPORARY Destroy 10 years after action completed

1. Commercial Passenger Vehicle Regulation

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Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.10 Meetings

The activities associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies), and to provide formal statements or findings of the results of the examination or investigation. Includes agenda briefing, business, discussion papers, proposals, reports, reviews and returns.

Class No.	Description of Records	Status and Disposal Action
1.10.1	Records relating to managers meetings, staff meetings, conducted for the purpose of the commercial passenger vehicle function. Includes agendas and reports.	TEMPORARY Destroy 5 years after action completed

1. Commercial Passenger Vehicle Regulation

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Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.11 Planning

The activities associated with formulating ways in which objectives can be achieved. Includes determination of services, needs and solutions to those needs.

Class No.	Description of Records	Status and Disposal Action
1.11.1	Records relating to the finalisation of strategic business plans to improve the commercial passenger vehicle function. Includes final business plans and reports.	PERMANENT Transfer to the NT Archives Service 10 years after action completed
1.11.2	Records relating to working papers use in developing plans for commercial passenger vehicle objectives. Includes draft business plans, comments and discussion papers.	TEMPORARY Destroy 2 years after action completed

1. Commercial Passenger Vehicle Regulation

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1.12 Policy

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the organisations operating procedures are determined.

Class No.	Description of Records	Status and Disposal Action
1.12.1	Master set of policies relating to the function of commercial passenger vehicle regulation.	PERMANENT Transfer to the NT Archives Service 10 years after action completed
1.12.2	Records relating to the development of agency policies on the commercial passenger vehicle function. Includes consultation papers, drafts, policy proposals, reports, research papers and comments.	TEMPORARY Destroy 2 years after date policy has been approved

1. Commercial Passenger Vehicle Regulation

The function of regulating the carrying of passengers in motor vehicles for hire, reward, and for related purposes under the Commercial Passenger (Road) Transport Act. This includes authorising the accreditation and licensing of all commercial passenger vehicle operators and drivers, administering the Commercial Passenger (Road) Transport Act and making amendments where necessary, and advising the Minister, external organisations and the public on all commercial passenger vehicle regulation issues.

Note; Commercial Passenger Vehicle means a taxi, private hire car, limousine, special function vehicle, minibus, courtesy vehicle, motor omnibus, tourist vehicle or special passenger vehicle.

Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.13 Procedures

The activities associated with standard methods of operating laid down by organisation according to formulated policy.

Class No.	Description of Records	Status and Disposal Action
1.13.1	Master set of agency manuals, handbooks etc detailing procedures supporting the commercial passenger vehicle function.	PERMANENT Transfer to the NT Archives Service 10 years after action completed
1.13.2	Records relating to the development and implementation of agency procedures supporting the commercial passenger vehicle function. Includes internal memos notifying agency staff of changes.	TEMPORARY Destroy 2 years after procedure has been endorsed

1. Commercial Passenger Vehicle Regulation

The function of regulating the carrying of passengers in motor vehicles for hire, reward, and for related purposes under the Commercial Passenger (Road) Transport Act. This includes authorising the accreditation and licensing of all commercial passenger vehicle operators and drivers, administering the Commercial Passenger (Road) Transport Act and making amendments where necessary, and advising the Minister, external organisations and the public on all commercial passenger vehicle regulation issues.

Note; Commercial Passenger Vehicle means a taxi, private hire car, limousine, special function vehicle, minibus, courtesy vehicle, motor omnibus, tourist vehicle or special passenger vehicle.

Use STRATEGIC MANAGEMENT – LEGISLATION – for records associated with reviewing and amending the Commercial Passenger (Road) Transport Act.

1.14 Standards

The process of developing and reviewing of industry or whole of government benchmarks to improve and enhance an organisations processes and/or services.

Class No.	Description of Records	Status and Disposal Action
1.14.1	Records relating to the implementation of industry and agency standards to support the commercial passenger vehicle function. Includes written letters to the industry and the community.	PERMANENT Transfer to the NT Archives Service 10 years after action completed