

Retention and Disposal Authority for Records of the Legal Services Board

Authority number: PROS 09/02 VAR 2



PROS 09/02 VAR 2

**Retention and Disposal Authority for Records of
the Legal Services Board**

Issued Date: 13/12/2021

Retention and Disposal Authority for Records of the Legal Services Board

Authority number: PROS 09/02 VAR 2

Variation 1

Public Records Act 1973 (Section 12)

Retention and Disposal Authority for Records of the Legal Services Board

In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to the Retention and Disposal Authority for Records of the Legal Services Board, issued as Public Record Office Standard (PROS) 09/02 on 19/03/2009, as follows:

Extension of the application of this Standard until 31/12/2021

This Variation shall have effect from its date of issue.

[signed]

Justine Heazlewood

Director and Keeper of Public Records

Date: 19/11/2018

Retention and Disposal Authority for Records of the Legal Services Board

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Variation 2

Public Records Act 1973 (Section 12)

Retention and Disposal Authority for Records of the Legal Services Board

In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to the Retention and Disposal Authority for Records of the Legal Services Board, issued as Public Record Office Standard (PROS) 09/02 on 19/03/2009, as follows:

Extension of the application of this Standard until 31/12/2023

This Variation shall have effect from its date of issue.

[approved]

Justine Heazlewood

Director and Keeper of Public Records

Date: 13/12/2021

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Retention and Disposal Authority for Records of the Legal Services Board

Retention and Disposal Authority No	PROS 09/02 VAR 2
Scope	
Status	Issued by Keeper
Issue Date	13/12/2021

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Introduction

Purpose of this Authority

The purpose of this Authority is to provide a mechanism for the disposal of public records in accordance with the *Public Records Act 1973*. The Authority:

- identifies records which are worth preserving permanently as part of Victoria's archival heritage
- prevents the premature destruction of records which need to be retained for a specified period to satisfy legal, financial and other requirements of public administration, and
- authorises the destruction of those records not required permanently.

Context of this Authority

Public Record Office Victoria Standards

This Authority should be used in conjunction with the Standards issued by the Keeper of Public Records under Section 12 of the *Public Records Act 1973*. Copies of all relevant PROV standards, specifications and regulatory advice can be downloaded from www.prov.vic.gov.au. These documents set out the procedures that must be followed by Victorian public offices.

Disposal of records identified in the Authority

Disposal of public records identified in this Authority must be undertaken in accordance with the requirements of Public Record Office Standard PROS 10/13 *Disposal*.

It is a criminal offence to unlawfully destroy a public record under s 19(1) of the *Public Records Act 1973*.

The destruction of a public record is not unlawful if done in accordance with a Standard established under s 12 of the *Public Records Act 1973*.

This Standard (also known as an Authority) authorises the disposal of public records as described within its provisions. However, disposal is **not** authorised under this Standard if it is reasonably likely that the public record will be required in evidence in a current or future legal proceeding.

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For the purposes of this Retention and Disposal Authority, a 'legal proceeding' has the same meaning as the *Evidence (Miscellaneous Provisions) Act 1958*, and includes any civil, criminal or mixed proceeding and any inquiry in which evidence is or may be given before any court or person acting judicially, including a Royal Commission or Board of Inquiry under the *Inquiries Act 2014*.

If the public office identifies that public records must be retained under other applicable legislation for a period that exceeds the retention period specified under the Standards, then the longer retention period must apply.

Normal Administrative Practice

The destruction of some public records is permitted without final authorisation under normal administrative practice (NAP). NAP covers the destruction of ephemeral material of a facilitative nature created, acquired or collected by public officers during the course of their duties.

The following material may be destroyed under NAP:

- working papers consisting of rough notes and calculations used solely to assist in the preparation of other records such as correspondence, reports and statistical tabulations
- drafts not intended for retention as part of the office's records, the content of which has been reproduced and incorporated in the public office's record keeping system
- extra copies of documents and published material preserved solely for reference.

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Transfer of records to Public Record Office Victoria

Contact Public Record Office Victoria for further information on procedures for transferring permanent records to archival custody.

Use of Other Authorities

In applying the disposal sentences set out in this Authority, reference should be made to other current Authorities where applicable. Where there is a conflict between two Authorities (for instance this Authority and the General Retention and Disposal Authority for Records of Common Administrative Functions), consult the Public Record Office Victoria for advice.

Explanation of Authority Headings

Class Number

The class number or entry reference number provides citation and ease of reference.

Description

The description of each record class is specified in this entry. A record class is a group of records that relate to the same activity, function or subject and require the same disposal action.

Status

This entry provides the archival status of each class - either permanent or temporary.

Custody

This entry specifies whether the records are to be retained by the public office or transferred to the Public Record Office Victoria. Permanent electronic records are to be transferred in VERS Encapsulated Object (VEO). The storage of public records identified in this Authority must also be in accordance with the requirements of Public Record Office Standard PROS 20/02 Storage.

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Concurrence of Public Office

This Authority has the concurrence of:

Signature: [signed]

Name: Ms Victoria Marks

Position: CEO, Legal Services Board

Date: 16/03/2009

Establishment of Standard

Pursuant to Section 12 of the *Public Records Act 1973*, I hereby establish these provisions as a Standard (also known as a Retention and Disposal Authority) applying to Legal Services Board. This standard as varied or amended from time to time, shall have effect from the date of issue unless revoked prior to that date.

[signed]

Justine Heazlewood, Keeper of Public Records

Date of Issue: 19/03/2009

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Authority number: PROS 09/02 VAR 2

No	Function/Activity	Description	Status	Disposal Action
1	LEGAL PROFESSION RULES DEVELOPMENT	<p>The function of making and approving rules about legal practice to be adhered to by legal practitioners. Rules can be made by the Legal Services Board or the Victorian Bar and Law Institute of Victoria. Rules made by the Victorian Bar and the Law Institute of Victoria must however be approved by the Legal Services Board.</p> <p>[For policy development, see the General Retention and Disposal Authority for Common Administrative Functions.]</p>		
1.1	Development of Rules	The development of Legal Profession Rules. Includes the management of development and consultation processes.		
1.1.1		<p>Records that document approved legal profession rules including records created in the formation such as strategic planning, submissions, major consultation summaries and drafts with significant changes.</p> <p>[For rules that are not approved, see 1.1.2.]</p>	Permanent	Retain as State archives
1.1.2		Records that document the development of legal profession rules that are not approved.	Temporary	Destroy 10 years after last action.
1.1.3		Working papers created in the development of approved and not approved legal profession rules. Includes drafts that contain minor changes only.	Temporary	Destroy after administrative use is concluded.
2	LEGAL PROVIDER REGULATION	The regulation of practitioners, practices and other providers of legal services to ensure compliance with		

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No	Function/Activity	Description	Status	Disposal Action
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LEGAL PROVIDER REGULATION - Registration of Legal Practitioners and Practices

		legal profession rules and regulations, and to protect the interests of consumers.		
2.1	Registration of Legal Practitioners and Practices	The registration of legal practitioners and practices. Includes the issue and management of practising certificates for practitioners and the registration of law practices, barrister's clerks and non legal directors of Incorporated Legal Practices. Also includes exemptions from conditions and/or requirements of a certificate or registration.		
2.1.1		<p>The summary record of all:</p> <ul style="list-style-type: none"> • legal practitioners holding practising certificates, • unsuccessful applicants for practising certificates and • all registered law practices including incorporated legal practices, multi disciplinary partnerships and community legal centres. <p>Details for each legal practitioner or applicant include name, date of birth, date of admission to the legal profession, address for service, any conditions imposed on the practitioner's local practising certificate, and whether or not the practitioner is a barrister. Includes the details of certificates that are refused, cancelled or suspended and the reasons why these decisions were made.</p> <p>For practitioners who are an employee of a law practice, the name of the law practice is recorded.</p>	Permanent	Retain as State archives

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No	Function/Activity	Description	Status	Disposal Action
<i>LEGAL PROVIDER REGULATION - Registration of Legal Practitioners and Practices</i>				
		<p>For sole practitioners, the business name under which the practitioner carries out business is recorded.</p> <p>Details recorded for each incorporated legal practice and multi-disciplinary partnership include the organisation's name (including any business name) and the name of each partner or director for the organisation.</p> <p>Details recorded for each community legal centre include centre name and address and the name of each supervised legal practice director and any other details as prescribed by governing regulations.</p>		
2.1.2		<p>Records which detail the granting renewal and management of practising certificates for local lawyers and registered foreign lawyers. Includes the application and supporting records and decision, requests to change practitioner details and notifications from practitioners including notifications of the completion of the Supervised Legal Practice period.</p> <p>Also includes any investigations into whether the applicant is a fit and proper person to hold a certificate. An investigation can be triggered by a "show cause" event as defined by of the <i>Legal Profession Act 2004</i>, being:</p> <ul style="list-style-type: none"> • bankruptcy • debtors or creditors petition presented to the court 	Temporary	Destroy 30 years after certificate expires.

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No	Function/Activity	Description	Status	Disposal Action
<i>LEGAL PROVIDER REGULATION - Registration of Legal Practitioners and Practices</i>				
		<ul style="list-style-type: none"> • a criminal offence, or • a tax offence <p>The Board may also take into account a wider range of matters under the <i>Legal Profession Act 2004</i> ("suitability investigations") in determining whether someone is suitable to hold a practising certificate including whether someone is of good fame or character.</p> <p>For the investigation of any alleged offences against the <i>Legal Profession Act 2004</i> committed by practitioners whilst holding a practising certificate, see 2.3.0. For show cause investigations that lead to the cancellation of a practising certificate, see 2.3.5.</p>		
2.1.3		Records of unsuccessful applications for practising certificates where the applicant meets the academic and practical training criteria however the Board makes a judgement that the applicant is not a fit and proper person to hold a practising certificate.	Temporary	Destroy 30 years after the date of decision.
2.1.4		<p>Records prepared for hearings of appeals at Victorian Civil & Administrative Tribunal (VCAT) against refusals of applications for practising certificates or against decisions to suspend or vary the conditions of a practising certificate.</p> <p>[For hearings of appeals against the cancellation of certificates, see 2.3.5.]</p>	Temporary	Destroy 30 years after date of decision.
2.1.5		Records of applications for practising certificates that are unsuccessful because the applicant has not been	Temporary	Destroy 1 year after

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LEGAL PROVIDER REGULATION - Registration of Legal Practitioners and Practices

		admitted to the Supreme Court as a lawyer.		date of application.
2.1.6		<p>Records that detail the notification to the Board of the organisations intention to commence or terminate the provision of legal services.</p> <p>Includes the notification of the establishment or termination of Incorporated Legal Practices (ILPs), Multi-Disciplinary Partnerships and community legal centres. Also includes the notification and approval of directors or partners who are not registered legal practitioners.</p> <p>An incorporated legal practice is a corporation that engages in legal practice but may also provide services that are not legal services.</p> <p>A multi-disciplinary partnership is a partnership between one or more Australian legal practitioners and other partners from other disciplines e.g. accountancy. The partnership will therefore provide a variety of services e.g. legal and accountancy services.</p> <p>[For the summary management of law practices, see 2.1.1.]</p>	Temporary	Destroy 7 years after the organisation ceases operations.
2.1.7		Records that detail the approval of Barrister's clerks who are employed by barristers to manage their affairs as well as receive and handle trust money and keep trust records on their behalf. Includes the application, supporting records and notifications as part of approval and cessation.	Temporary	Destroy 7 years after approval ceases.

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No	Function/Activity	Description	Status	Disposal Action
<i>LEGAL PROVIDER REGULATION - Registration of Legal Practitioners and Practices</i>				
2.1.8		Records of the issue of exemptions from certificate or regulatory requirements. Includes exemptions from having to complete Supervised Legal Practice requirements, having to obtain professional indemnity insurance and having to meet compulsory professional development (CPD) requirements.	Temporary	Destroy 7 years after exemption expires or ceases to have effect.
2.2	Monitoring	The monitoring of compliance by law practices and legal practitioners against legal profession rules, regulations and the <i>Legal Profession Act 2004</i> .		
2.2.1		Audits of law practices against legal profession rules, regulations or the <i>Legal Profession Act 2004</i> . Includes auditing of the management of legal services by the practice, including the supervision of employees and officers providing legal services. Includes audits of incorporated legal practices and multi disciplinary partnerships. [For audits that lead to investigations, see class 2.3.0]	Temporary	Destroy 7 years after completion of audit.
2.2.2		Records on the auditing of practitioners to verify compliance with compulsory professional development (CPD) requirements. Practitioners are required to undertake a certain amount of CPD activities to keep their knowledge and skills current and to ensure ongoing competence.	Temporary	Destroy 7 years after date of audit.
2.3	Enforcement, Investigations and	Activities concerning existing certificate holders that are designed to ensure compliance with rules and		

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No	Function/Activity	Description	Status	Disposal Action
<i>LEGAL PROVIDER REGULATION - Enforcement, Investigations and Prosecutions Activities</i>				
	Prosecutions Activities	<p>regulations. Includes the investigation and prosecution of offences under the <i>Legal Profession Act 2004</i>. Also includes the making of applications to courts to prevent practitioners or practices from practising or operating.</p> <p>[For investigations concerning "show cause" or "suitability" events that are declared by applicants applying for new certificates or by existing certificate holders and which don't result in certificate cancellation, see 2.1.0.]</p>		
2.3.1		The summary record of all disciplinary actions taken against legal practitioners. Includes the full name and address for service of the person against whom the disciplinary action was taken, particulars of the disciplinary action taken and any other particulars that are prescribed by legal practice regulations.	Permanent	Retain as State archives
2.3.2		<p>Records of the investigation of offences under the <i>Legal Profession Act 2004</i> that lead to the cancellation of a practising certificates or result in applications to VCAT or courts to</p> <ul style="list-style-type: none"> • Disqualify practitioners or non legal associates; • Ban law practices; • Prohibit practitioners from being a partner in a business that provides legal services; • Have practitioners struck off the Supreme Court Roll; or 	Permanent	Retain as State archives

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No	Function/Activity	Description	Status	Disposal Action
<i>LEGAL PROVIDER REGULATION - Enforcement, Investigations and Prosecutions Activities</i>				
		<ul style="list-style-type: none"> • Prosecute individuals for engaging in legal practice when not entitled. <p>Includes investigation briefs, gathering of evidence, reporting to the Board and any recommendations regarding prosecution. Includes records of prosecution if prosecution occurs.</p> <p>Also includes any applications to VCAT and courts that are not connected with offences against the Legal Profession Act 2004.</p>		
2.3.3		<p>Records that detail the investigation of offences under the <i>Legal Profession Act 2004</i> that lead to disciplinary measures such as reprimands, fines or the suspension (but not cancellation) of registration or variation of certificate conditions.</p> <p>Includes investigation briefs, gathering of evidence, reporting to the Board and any recommendations regarding prosecution. Includes records of prosecution if prosecution occurs.</p>	Temporary	Destroy 30 years after last action.
2.3.4		<p>Records that detail the investigation of offences under the <i>Legal Profession Act 2004</i> where no wrong doing is found to have occurred. Includes investigation briefs, gathering of evidence, reporting to the Board and any recommendations regarding prosecution.</p>	Temporary	Destroy 7 years after conclusion of investigation.
2.3.5		<p>Records of the cancellation of practising certificates. Includes any investigations into show cause or suitability matters that ultimately lead to the</p>	Permanent	Retain as State archives

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No	Function/Activity	Description	Status	Disposal Action
<i>TRUST ACCOUNT ADMINISTRATION</i>				
		<p>certificate being cancelled. A show cause or suitability investigation may or may not relate to or follow on from the investigation and prosecution of an offence under the <i>Legal Profession Act 2004</i>.</p> <p>Also includes notices that explain the Boards proposed decision and the reasons behind it and the consideration of any submissions by the practitioner and the final decision. Includes records relating to any appeals against decisions to cancel practising certificates.</p> <p>[For processes related to the variation or suspension of practising certificates, see 2.1.2.]</p>		
3	TRUST ACCOUNT ADMINISTRATION	<p>Activities related to the administration of Trust Accounts held by law practices or approved clerks. Trust accounts are monitored to ensure compliance with the <i>Legal Profession Act 2004</i>, legal profession rules and regulations and to protect the interests of consumers. Includes the receipt of notifications of the establishment or closure of General or Statutory Deposit Trust Accounts, reporting to the Board by Trust Account holders and the investigation of any account deficiencies or irregularities.</p>		
3.1	Management of Trust Accounts	<p>The management of general trust accounts and statutory deposit accounts. Includes the opening and closing of accounts, the monitoring of account balances and transactions. Also includes the granting of exemptions from having to meet Statutory Deposit Account requirements.</p>		

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No	Function/Activity	Description	Status	Disposal Action
<i>TRUST ACCOUNT ADMINISTRATION - Management of Trust Accounts</i>				
		<p>Law practices or approved clerks are required to establish a General Trust Account with an Authorised Deposit Taking Institution (Institution authorised by the Board to hold trust money accounts) for the holding of trust money. They are also required to deposit a certain amount in a Statutory Deposit Account (SDA). (This amount is determined by the Board using a set formula).</p> <p>[For the making of Board arrangements with approved deposit taking institutions for the management of trust accounts, see the <i>General Retention and Disposal Authority for Common Administrative Functions.</i>]</p>		
3.1.1		Records of notifications received from law practices or approved clerks concerning the establishment or closure of general trust accounts with approved authorised deposit-taking institutions (ADIs).	Temporary	Destroy 7 years after closure of trust account.
3.1.2		Statements of balances, transactions and deficiencies for General and Statutory Deposit Trust Accounts.	Temporary	Destroy 7 years after date of statement.
3.1.3		Records of exemptions concerning trust accounts. Includes exemptions from statutory deposit provisions from trust account signatory provisions.	Temporary	Destroy 7 years after exemption ceases.
3.2	Trust Account Examinations and Investigations	The conduct of external examinations and the investigation of possible offences concerning trust money and trust accounts. Includes annual examination reports and reports that are submitted when a practice or clerk ceases to be authorised to		

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No	Function/Activity	Description	Status	Disposal Action
<i>TRUST ACCOUNT ADMINISTRATION - Trust Account Examinations and Investigations</i>				
		receive trust money (as required by the <i>Legal Profession Act 2004</i>). Also includes statutory declarations from clerks and practices that did not hold trust money during the previous year.		
3.2.1		Reports on the external examination of trust accounts that reveal deficiencies or potential offences and lead to investigations. Includes records of investigations and information obtained under compulsory powers. Also includes records of applications to obtain Search Warrants in order to enable an inspector to enter certain premises in the course of trust account investigations.	Temporary	Destroy 30 years after investigation concluded.
3.2.2		Reports on the external examination of trust accounts that do not reveal deficiencies or potential offences and do not lead to investigations. Includes statutory declarations from clerks and practices that did not hold trust money during the previous year.	Temporary	Destroy 7 years after date of reporting.
3.2.3		Records of the approval of individuals to act as external examiners of trust accounts. Includes any external auditor requirement exemptions.	Temporary	Destroy 7 years after approval ceases.
3.3	External Interventions	The management of interventions into law practices where: <ul style="list-style-type: none"> • a legal practitioner or practice has ceased to provide legal services, or • the Board believes that offences, irregularities, breaches or problems are 		

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No	Function/Activity	Description	Status	Disposal Action
<i>TRUST ACCOUNT ADMINISTRATION - External Interventions</i>				
		<p>occurring concerning a practitioner or practice,</p> <p>and outside intervention is required in order to safeguard the interests of consumers.</p> <p>Includes the appointment of trust account supervisors, managers and/or cases where the Supreme Court appoints a receiver for a law practice.</p>		
3.3.1		<p>Records relating to the appointment of receivers.</p> <p>Includes court applications, the notice of appointment, appointment conditions, term of appointment, resulting reports on interventions made, and the records of the termination of appointment.</p>	Permanent	Retain as State archives
3.3.2		<p>Records relating to the appointment of trust account supervisors and managers.</p> <p>Includes the notice of appointment, appointment conditions, term of appointment, resulting reports on interventions made, and the records of the termination of appointment.</p>	Temporary	Destroy 50 years after the conclusion of appointment.
3.4	Fidelity Fund Investigation and Determination of Claims	<p>The investigation and determination of claims against the Fidelity Fund.</p> <p>The Fidelity Fund is maintained to compensate claimants where a law practice or approved clerk has defaulted with trust money or property they hold on behalf of that client.</p>		

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No	Function/Activity	Description	Status	Disposal Action
<i>TRUST ACCOUNT ADMINISTRATION - Fidelity Fund Investigation and Determination of Claims</i>				
3.4.1		Summary record of Fidelity Fund Claims. Includes claim ID, claimants name and address and practitioner details, result of claim and amount being claimed, the date of claim, date of default, the date that the claim form received and public notice published as well as details of the defaulting entity / practitioner.	Permanent	Retain as State archives
3.4.2		Records of investigations of claims against the Fidelity Fund that are rejected or partially allowed and are subsequently appealed. Includes the receipt and advertising of a claim, the collection and investigation of evidence, claim reporting, and recommendations as to whether the claim should be allowed. Also includes records of claimant appeal.	Temporary	Destroy 30 years after appeal concluded.
3.4.3		Records of investigations of claims against the Fidelity Fund that are rejected or partially allowed and but are not subsequently appealed. Includes the receipt and advertising of a claim, the collection and investigation of evidence, claim reporting, and recommendations as to whether the claim should be allowed.	Temporary	Destroy 15 years after claim settled.
3.4.4		Records of investigations of claims against the Fidelity Fund that are allowed in full. Includes the receipt and advertising of a claim, the collection and investigation of evidence, claim reporting, and recommendations as to whether the claim should be allowed.	Temporary	Destroy 7 years after claim settled.

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No	Function/Activity	Description	Status	Disposal Action
<i>TRUST ACCOUNT ADMINISTRATION - Fidelity Fund Investigation and Determination of Claims</i>				
3.4.5		Records of the recovery of subrogated debt. Subrogation occurs when the Board seeks to recover money from practitioners whose fraudulent or dishonest dealings lead to their clients making successful Fidelity Fund claims.	Temporary	Destroy 7 years after debt settled or written off.
4	APPOINTMENTS, APPROVALS AND ELECTIONS	The appointment of individuals to the Boards of outside organisations, the granting of approvals as prescribed by the <i>Legal Profession Act 2004</i> and the management of elections for the Legal Services Board .		
4.1	Appointments	The appointment of individuals to the board of any organisation that is prescribed by the <i>Legal Profession Act 2004</i> including: <ul style="list-style-type: none"> • Board of Examiners • Legal Practitioners Liability Committee • Legal Costs Committee. 		
4.1.1		Records documenting the appointment of individuals to the board of organisations prescribed by the <i>Legal Profession Act 2004</i> . Also includes records of the consultation with organisations required to consult with the Legal Services Board on the appointments to their boards.	Temporary	Destroy 7 years after appointment ceases.
4.2	Approvals	The activities associated with the granting of approvals as prescribed by the <i>Legal Profession Act</i>		

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No	Function/Activity	Description	Status	Disposal Action
<i>APPOINTMENTS, APPROVALS AND ELECTIONS - Approvals</i>				
		2004. Includes the approval of <ul style="list-style-type: none"> • Trust Account Courses • Legal Practitioner Liability Committee Insurance Policies. 		
4.2.1		Records documenting the granting of approvals as prescribed by the <i>Legal Profession Act 2004</i> .	Temporary	Destroy 7 years after approval ceases..
4.3	Board Elections	The management of elections for practitioner elected members of the Legal Services Board.		
4.3.1		Records of the planning and arrangement of an election for the Legal Services Board. Includes any records that review the conduct of the election for future planning purposes.	Temporary	Destroy 10 years after conclusion of election.
4.3.2		Ballot papers, consolidated returns of votes received and other election records.	Temporary	Destroy 1 year after result declared.
5	ADMINISTRATION OF EXTERNAL DELEGATIONS	The monitoring and management of functions that have been delegated to other organisations to perform under the <i>Legal Profession Act 2004</i> . Includes the functions that have been delegated to the Law Institute of Victoria and the Victorian Bar, such as the granting, renewal, suspension and cancellation of practising certificates which is delegated to the Law Institute of Victoria for all practitioners other than barristers which is delegated to the Victorian Bar. Examples of other delegated activities include trust account examinations and		

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No	Function/Activity	Description	Status	Disposal Action
<i>ADMINISTRATION OF EXTERNAL DELEGATIONS - Delegations Recording and Monitoring</i>				
		investigations and fidelity fund investigations.		
5.1	Delegations Recording and Monitoring	The recording and monitoring of functions delegated by the Board to external organisations under the <i>Legal Profession Act 2004</i> . Includes the conduct of performance assessments and audits.		
5.1.1		The summary management of all functions delegated. Includes the section of the <i>Legal Profession Act 2004</i> to which the function is being delegated, a description of the function being delegated, the body to which the function is being delegated and the date of the delegation.	Permanent	Retain as State archives
5.1.2		Records of the monitoring of organisations performing delegated functions.	Temporary	Destroy 7 years after date of audit.
6	COMPETITION INVESTIGATIONS MANAGEMENT	<p>The management of Competition Investigations under the <i>Legal Profession Act 2004</i> that are initiated following a consumer dispute or complaint, following a referral from the Attorney-General, or by the Board itself.</p> <p>Investigations may concern issues of competition and deal with the effect of:</p> <ul style="list-style-type: none"> • any Act, subordinate instrument or rule of law relating to legal practice • the legal profession rules • any agreements, arrangements or understandings made by or involving a law practice or an Australian legal practitioner in 		

Retention and Disposal Authority for Records of the Legal Services Board

Authority number: PROS 09/02 VAR 2

No	Function/Activity	Description	Status	Disposal Action
<i>COMPETITION INVESTIGATIONS MANAGEMENT - Management of Competition Investigations</i>				
		the course of, or in relation to, engaging in legal practice on the provision of legal services.		
6.1	Management of Competition Investigations	Activities related to the management of Competition Investigations. Includes inquiry establishment, consultation and reporting processes.		
6.1.1		Records of competition investigations. Includes records that lead to the establishment of an inquiry, records that detail consultation processes and reports submitted to the Attorney-General.	Permanent	Retain as State archives