



17 October 1997

Chief Archivist
National Archives of New Zealand
PO Box 12-8670
Wellington

Attention: [Name Removed]

Dear Sir

Thank you for attending our meeting on 8 October to discuss the requirements for retention or destruction of files held by the Division and the transfer of Resource Management Act files to National Archives.

You will recall that we also discussed the Records Disposal Schedule issued by National Archives in June 1992, valid to June 2002. This schedule did not cover all tribunals managed by the Division whose files should also be subject to a regular programme of culling. I therefore request formal approval to destroy those files relating to the tribunals, boards, committees or authorities listed in section A of this letter after eight years from the last date on each file. In requesting this I would point out that these files consist of the working papers relating to individual hearings. A summary of each hearing and the decision reached are retained on the Division's management file series.

Section A

1 Complaints Review Tribunal

This Tribunal hears and determines complaints that have been made to the Human Rights Commission; Race Relations Office; Privacy Commissioner and the Health and Disability Commissioner and that have been unable to be resolved. The Tribunal is established under the Human Rights Act 1993.

2 Customs Appeal Authority

This Authority hears appeals against the customs rulings given by the Chief Executive of the New Zealand Customs Service who is known as the Comptroller of Customs. The Authority is established under the Customs and Excise Act 1996.

3 Deportation Review Authority

This Tribunal considers appeals against deportation and appeals on humanitarian grounds against revocation of residence permits.

The Immigration Act 1977 provides for the existence of the Tribunal.

4 Public Service Appeal Board

The Public Service Appeal Board used to hear appeals by public servants against under the State Sector Act 1988, however it has one appeal outstanding which is the subject of separate judicial review proceedings.

5 Taxation Review Authority

The Taxation Review Authorities were established for the purposes of the Inland Revenue Act. The function of the Authority is to sit as a judicial authority for hearing and determining such objections to assessments of tax or duty or to decisions or determinations of the Commissioner of Inland Revenue as authorised by the Taxation Review Authorities Act 1994. This Authority and its staff are bound by rules of strict secrecy - section 81 of the Tax Administration Act 1994.

6 Wild Animal Recovery Service Licensing Appeal Authority

This Authority last sat in 1986. The Authority was established to consider appeals against the decision of the Director-General of Forests in respect of applications or variations to licences for the searching or shooting or immobilising of wild animals. Section 24 of the Wild Animal Control Act 1977 is the legislation which provides for this Authority.

7 Abortion Supervisory Committee

This Committee:

- keeps under review the provisions of the abortion law
- grant/refuse applications/renewals from hospitals/doctors
- prescribes standards for facilities in hospitals etc.
- prescribes doctors fees
- collate statistics relating to abortions
- report to/advise Minister of Health and annually reports to Parliament
- maintain confidentiality provisions in legislation

The Committee is established under the provisions of the Contraception, Sterilisation and Abortion Act 1977.

8 Copyright Tribunal

Certain disputes about licences allowing the copying, performing and broadcasting of works may be heard and determined by the Copyright Tribunal. It was established under the Copyright Act 1962.

9 Criminal Justice Assistance Reimbursement Scheme

A scheme which assists people who have been victimised as a result of assisting justice.

10 Lay Members, Law Society Disciplinary Tribunals

These members are appointed under the Law Practitioners Act 1982 to sit on the Law Society Disciplinary Tribunals. These Tribunals hear disciplinary proceedings against lawyers.

11 Lay Observers, District Law Societies

The Lay Observers investigate complaints brought by the public in respect of actions taken by lawyers. The complaints can only be brought to the Lay Observers if the matter has been previously investigated by the Law Society. The Lay Observer is appointed under the Law Practitioners Act 1982.

12 Liquor Licensing Authority

The functions of the Authority are detailed in section 91 of the Sale of Liquor Act 1989. They include the consideration and determination of various types of licence applications, as well as appeals against District Licensing Agency decisions, applications for suspension/ cancellation/variation of a licence and renewals, either opposed or where changes are sought.

13 Pharmacy Authority

This Authority is established under the Pharmacy Act 1970 and considers applications for the ownership of pharmacies and to administer the estate of pharmacies.

14 Co-operative Dairy Companies Tribunal

This Tribunal has not sat for some time. It was provided for in the Co-operative Dairy Companies Act 1946 - section 17. The Tribunal considers applications in respect of the value of shares in a company and to decide whether a company has ceased to be a co-operative dairy company within the meaning of the Act.

Section B

For your information those tribunals still operational for which file destruction was approved in the schedule dated June 1992 are:

1 Motor Vehicle Disputes Tribunals

This Tribunal is established to enquire into any dispute referred to it by the Motor Vehicle Dealers Institute under s.96 of the Motor Vehicle Dealers Act 1975.

2 Accident Compensation Appeals Registry

The Accident Rehabilitation and Compensation Insurance Act 1992 came into effect on 1 April 1992. All appeals under section 91 are required to be filed with the Registrar of the District Court at Wellington. As at 1 July 1996 Tribunals Division are the administrators of these appeals for the District Court.

3 Accident Compensation Appeal Authority

The Accident Compensation Appeal Authority was established pursuant to sections 155-167 of the Accident Compensation Act 1972, consolidated by the Accident Compensation Act 1982, sections 103-110.

4 Student Allowance Appeal Authority (was Tertiary Assistance Grants Appeal Authority case files)

This one person Authority considers appeals from students at tertiary institutions whose applications for student allowance, whether it be for hardship grant, bursary_ or study grant etc., have been declined by the Department of Education.

5 Social Security Appeal Authority

The function of the Authority is to sit as a judicial authority for the determination of appeals in accordance with s.12J of the Act and s.16A of the War Pensions Act 1954. In hearing and determining any appeal, the Authority shall have all powers, functions and discretion's the Director-General exercised in respect of the matter on appeal.

6 Legal Aid Review Authority case files (was Legal Aid Appeal Authority)

The function of the Authority is to review applications referred to it in which legal aid has been declined by the courts.

Section C

Material relating to two other independent inquiries may be of interest to you for removal to National Archives. These are:

1 Broadcasting Enquiry:

An enquiry into the establishment of a third television channel in New Zealand, "TV3". These materials have not been assessed and listed

2 The Foxpine Enquiry:

An enquiry into the cause of the crash of an aircraft belonging to the Foxpine Timber Company at a private company airfield at Foxton.

These materials have been assessed and the box content listed. Boxes are currently stored at the Record Centre.

Your earliest approval to the application to dispose of the files listed in Section A above would be appreciated.

Yours faithfully

[Name Removed]

Executive Officer
Administration