

General Disposal Authorities

IMPLEMENTATION GUIDE



ARCHIVES NEW ZEALAND
TE RUA MAHARA O TE KĀWANATANGA
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Archives
New Zealand
*Te Rua Mahara
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CONTINUUM

create & maintain

tāhuhu te hanga me te tiaki

➤ IMPLEMENTATION GUIDE FOR GENERAL DISPOSAL AUTHORITIES

1. ➤ How can a public office dispose of government records?

Records created or held by public offices may not be disposed of without the permission of the Chief Archivist.¹

This ensures records of ongoing value are kept and those of temporary value are efficiently destroyed. Usually, individual agencies have specific disposal agreements with Archives New Zealand covering groups of their records.

2. ➤ What is a General Disposal Authority?

In order to facilitate this disposal process Archives New Zealand has issued a series of General Disposal Authorities (henceforth GDAs).

A *Disposal Authority* is “[a] formal instrument that defines the retention periods and consequent disposal actions authorised for classes of records which are described in it”.² A GDA is a disposal authority permitting public offices to dispose of, for example to transfer or destroy, specified classes of records.

GDAs are legal instruments that identify particular classes of records as of permanent value and give blanket authorisation to public offices to destroy other routine classes of records without having to check back with Archives New Zealand. Please note that this does not apply to records that relate to a public office's primary duties and responsibilities (see *Section 8*). Public offices wishing to transfer records of permanent value need to contact Archives New Zealand (see *Section 12*).

3. ➤ Which public offices can use a GDA?

The GDAs are authorised to cover *routine administrative records*, such as financial and human resources records, created or inherited by public offices. Any public office may use a GDA, although not for records which relate to its primary duties and responsibilities (see *Section 8*). This includes all government departments, CRIs, SOEs, tertiary institutions and schools. See Appendix A for a full definition of “public office”.

If an agency is unsure whether or not it is covered, it should contact the Government Recordkeeping Programme at Archives New Zealand.³

Note that the GDAs have not been developed with Local Government in mind. They should refer instead to the Local Government Schedule.

4. ➤ What do public offices need to do to use a GDA?

GDAs are authorised by the Chief Archivist for use by public offices. Once a public office has determined that a GDA is applicable to its records (see *Sections 7 and 8*), there is no need to contact Archives New Zealand before implementing it.⁴

To enable it to implement a GDA, a public office should have appropriate internal recordkeeping policies and procedures in place. Staff implementing a GDA should have a competent knowledge of the public office's recordkeeping systems and sufficient resources to carry out their duties effectively. If you encounter any problems in implementing a GDA, please contact the Appraisal Section of Archives New Zealand for advice.⁵

¹ Public Records Act 2005, s18. Authority required to dispose of public records and protected records.

(1) No person may dispose of, or authorise the disposal of, public records or protected records except with the authority of the Chief Archivist, given in accordance with the provisions of this Act. (2) Subsection (1) does not apply if the disposal of a public record or a protected record is required by or under another Act.

² Australian Standard AS 4390-1996, Part 1, 4.10

³ rkadvice@archives.govt.nz

⁴ The sign-on process in place under the former Archives Act has been removed.

⁵ appraisal@archives.govt.nz

NB. Please note that if a public office has an agency-specific continuing disposal authority relating to the same records covered by a GDA, then the existing disposal authority should be considered the legal authority. If the public office has no agency-specific disposal authorities relating to such records, then the GDA should be considered the legal authority. If the public office signed up to a GDA under the former Archives Act, then the GDA remains the authority. For further information or advice, please contact the Appraisal Section.

5. > What are the benefits of using a GDA?

Public offices using GDAs gain major benefits:

- > they can target and efficiently destroy large classes of records of no archival value;
- > they can save on space, administrative and storage costs (both for paper and electronic systems);
- > they can readily identify and provide for the retention of records of ongoing value;
- > they can organise disposal of records as a regular part of a records management programme.

Within a public office, use of the authorities will:

- > encourage consistent recordkeeping practices;
- > allow for the easier retrieval of current information;
- > ensure the retention of key corporate documents;
- > enable staff resources to be more efficiently managed.

6. > What does a GDA look like?

For a complete explanation of the content and structure of a GDA, see Appendix B.

7. > What records are covered by GDAs?

GDAs cover generic classes of records created through business functions which are common to most public offices, i.e. they deal with housekeeping “records that agencies routinely create to help in their administrative activities. They include records that relate to accommodation, property and works, staff and establishment, finance and accounting, tenders and contracts, and general administration. These functions are generally common to all agencies.”⁶ Public offices may have core functions that differ widely, but the administrative processes that support these functions possess a far more homogeneous character. For any records outside of these categories, such as records relating to specific public office functions, please contact the Appraisal Section of Archives New Zealand for advice in developing a specific disposal authority. Please note that records which relate to a public office's primary duties and responsibilities, even if they appear to belong under a records class described in a GDA, are not covered (see *Section 8*).

8. > What records are not covered by a GDA?

The GDAs do not cover records that relate to a public office's primary duties and responsibilities. For example, The Treasury and the Department of Inland Revenue are primarily responsible for the management of government income and expenditure, so the

⁶ Australian Archives (now National Archives of Australia), *Australian Archives Handbook*, Dickson (ACT), 1996, page 114.

authorities do not apply to the primary financial records dealing with their stewardship of these functions, though internal records dealing with their own financial activities are covered. As another example, the Department of Labour is primarily responsible for employment relations and workplace health and safety, so the authorities would not apply to these primary records. The GDAs do cover internal records dealing with the Department of Labour's own employment relations and workplace health and safety.

Before applying the authorities, public offices will need to ascertain which of their records reflecting primary duties or responsibilities fall outside the scope of these authorities. If you have any queries about this, please contact the Appraisal Section of Archives New Zealand at appraisal@archives.govt.nz or phone 04-499-5595.

Records created prior to 1946 are excluded from coverage under GDAs. This period includes records created during the Depression and World War II that may be of historical interest. This does not mean that all records created prior to 1946 will be retained, but that a separate appraisal of such records is required to determine their potential value.

9. > What about other legislation?

It is the public office's responsibility to check any specific legal obligations under legislation for record retention. This includes maintaining records that may be required for legal actions or proceedings. It is important to note that GDA disposal authorisation does not cover any record for which a request for access has been received under the Official Information Act 1982,

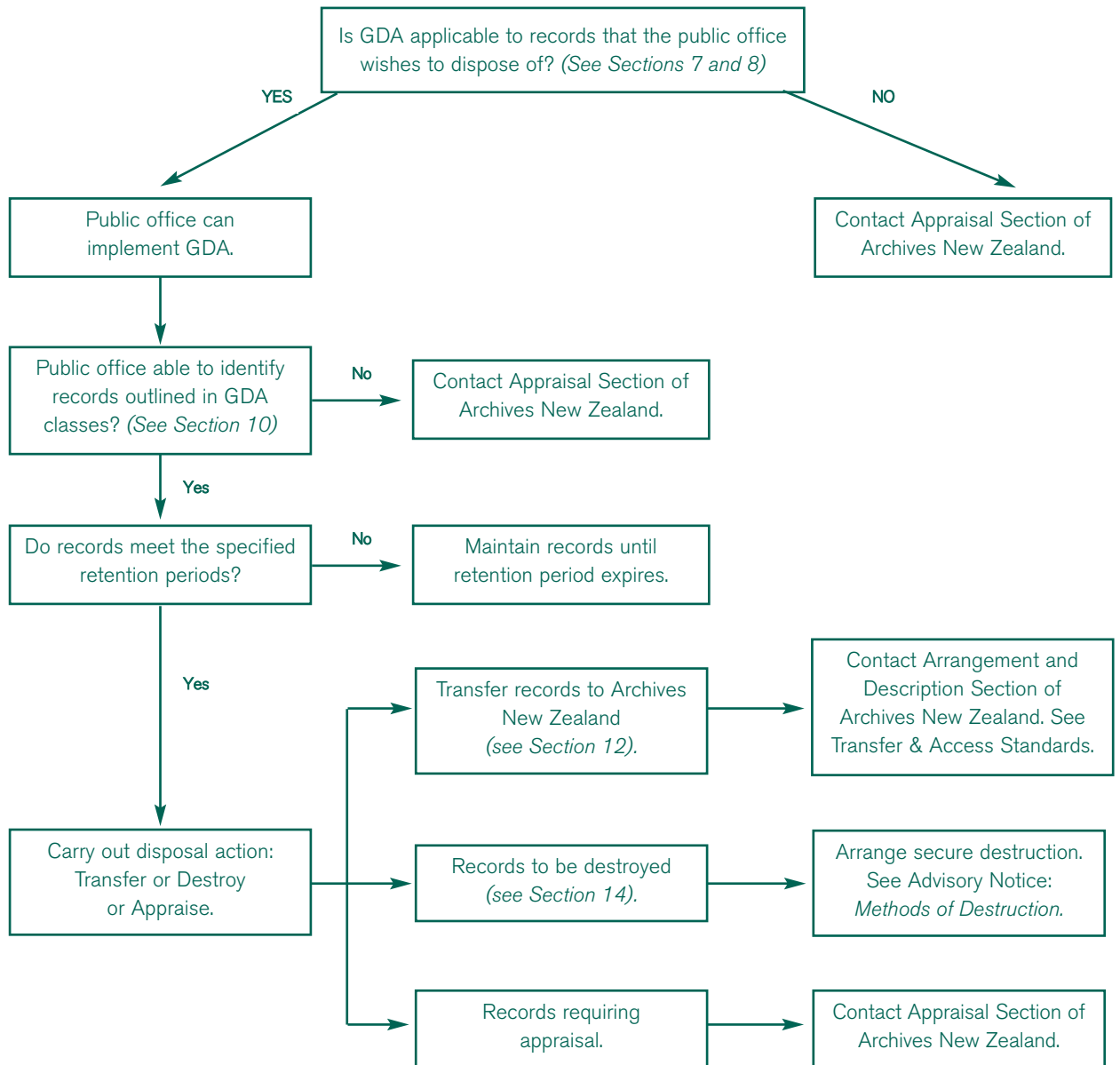
or where any law or regulation requires the retention of records beyond the periods stated in the GDAs.

10. > How do public office staff sentence records under a GDA?

The flowchart on the following page outlines the various steps public offices need to take before, during and after the implementation process.

When implementing the authorities, i.e. sentencing records for disposal, staff need to go through several steps:

- A. They must identify which record class relates to the particular records they wish to dispose of. By using the **record class description** in the GDA as well as the accompanying **examples of records**, staff can identify the appropriate class. The examples of records show the types of records produced by the functions/activities described in the record class description column. This list is not exhaustive. If staff are unsure what record class applies, please contact the Appraisal Section of Archives New Zealand for guidance.
- B. Once the relevant record classes are identified, staff should check that the records meet the minimum retention periods set out in column four: **agency retention period**. This is the *minimum* requirement for retention; public offices may wish to retain records for longer. Where a record covers several functions/activities and the **disposal action** is the same, whichever retention period is the longest will apply.



As the GDAs have been developed to cover common types of records across government, it is possible that records approved for destruction in the GDAs may contain documents of significant archival value. If staff of a public office believe that it holds such records, they should contact the Appraisal Section of Archives New Zealand to discuss the process of further appraisal, to see if retention and transfer are appropriate.⁷

Weeding/purging/culling of paper records, or any removal of items from a unitary record (such as pages from a closed file), is not permitted under the authority. Please note that file parts are considered to belong to a record unit, and therefore cannot be disposed of separately.

11. > What if our public office's records aren't specified in the examples?

The examples given are only representative of records types. They are not intended to provide an exhaustive list. In order to implement a GDA, public offices are free to comprise their own list of examples of records that are covered by the various record classes.

12. > How do public offices transfer records under a GDA?

Public offices wishing to transfer records to Archives New Zealand should contact our Arrangement and Description Section as early as possible in the disposal process to ensure any specific packaging and listing requirements are met.⁸ They will also need to obtain a separate authority to transfer records that have been approved by Archives New Zealand. See Archives New Zealand *Transfer Standard* and *Transfer Process Fact Sheet* for further details.

13. > Can public offices restrict access to records transferred under a GDA?

Records transferred to Archives New Zealand may have restricted access provisions placed on them when appropriate. See Archives New Zealand Advisory Notice *Making Access Decisions Under the Public Records Act* for further details on negotiating access provisions.

⁷ appraisal@archives.govt.nz

⁸ transfer@archives.govt.nz



14. > How do public offices destroy records under a GDA?

Public offices destroying records under the GDAs must do so in a secure manner. Further information is provided in the Archives New Zealand Advisory Notice *Methods of Destruction*. It provides a checklist for public offices destroying records, and recommends that they retain documentation of which records have been destroyed. This ensures that records disposal takes place in an accountable manner.

Where any legal action is pending, or the public office knows that legal action is likely, records that may be required under court rules of discovery must not be destroyed until such action is completed.

15. > Who can public office staff contact at Archives New Zealand?

If staff have any questions that are not addressed here, they can contact:

- rkadvice@archives.govt.nz for advice on recordkeeping requirements.
- appraisal@archives.govt.nz for advice on appraisal requirements.
- transfer@archives.govt.nz for advice on transfer requirements.

Public offices outside the Wellington region are to contact:

- auckland@archives.govt.nz for all enquiries.
- christchurch@archives.govt.nz for all enquiries.
- dunedin@archives.govt.nz for all enquiries.

> APPENDIX A AGENCY COVERAGE

Public office:

- a) means the legislative, executive, and judicial branches of the Government of New Zealand; and
- b) means the agencies or instruments of those branches of government; and
- c) includes (without limiting the agencies or instruments):
 - i. departments as defined in section 2 of the State Sector Act 1988; and
 - ii. Offices of Parliament as defined in section 2(1) of the Public Finance Act 1989; and
 - iii. State enterprises as defined in section 2 of the State-Owned Enterprises Act 1986; and
 - iv. Crown entities as defined in section 7(1) of the Crown Entities Act 2004; and
 - v. The Parliamentary Counsel Office; and
 - vi. The Parliamentary Service; and
 - vii. The Office of the Clerk of the House of Representatives; and
 - viii. The New Zealand Police; and
 - ix. The New Zealand Defence Force; and
 - x. The New Zealand Security Intelligence Service; and
 - xi. any person or class of persons declared by an Order in Council made under section 5(1)(a)(i) to be a public office for the purposes of this Act.

Source: Public Records Act, Section 4 Interpretation

If you have any queries as to whether your agency is covered, please contact the Government Recordkeeping Programme at Archives New Zealand.⁹

⁹ rkadvice@archives.govt.nz



> APPENDIX B

How are the GDAs set out?

Each General Disposal Authority has an Introduction providing explanatory notes. There are also comments on any characteristics that are peculiar to the records under consideration.

Contents pages list the Record Classes covering records created as a result of the core administrative functions, e.g. finance and human resources. In the individual Authorities these record classes deal with the subsidiary administrative functions and their associated activities.

Each Authority is set out in five columns:

- > **Record Class Number (No.)** for class number and sub-numbering for the subsidiary functions and activities.
- > **Record Class Description** identifies the function of each record class and contains explanatory notes concerning functions and activities. In some cases fuller notes are given to aid with interpretation, for example where policy records are involved.
- > **Examples of Records** provides examples of the types of records created as a result of the functions and activities specified in column two. This is not meant to be an exhaustive list.
- > **Agency Retention Period** defines the minimum period after which the authority may be implemented for each record class. In most instances a specific timeframe has been provided. In other cases public office staff will need to determine whether records have ceased to have administrative use. The Authority takes legislative requirements into account in determining destruction dates. In some cases sections of Acts relevant to particular record classes are cited as evidence of these legal requirements, but note that these are not definitive.

> **Disposal Action** gives one of three alternative disposal authorisations:

- **'Retain as public archive'** = 'transfer to the control of the Chief Archivist at the end of the public office retention period, or any period of agreed deferral of transfer'. In other words, there is an expectation of transfer to Archives New Zealand at a specified time after the closure of the record. However, arrangements can be negotiated for records to be retained by the public office for a longer period, if they are required for business purposes.¹⁰
- **'Destroy'** = 'destruction to be carried out in a secure manner. It is not mandatory to destroy records at the end of the retention period – the records may be retained for longer'. This means that approval has been given by the Chief Archivist for the destruction of the record at or after the period stated. However, a public office may retain the record for longer to comply with other legislation or for continued administrative use. The record must not be destroyed until after the specified retention period has passed, or if requests for access have been made under the Official Information Act 1982.

- **'Retain for appraisal'** = 'arrange for the records to be appraised and refer the Appraisal Report to the Appraisal Section at Archives New Zealand'. This authorisation has been used for records from any class within the GDA created prior to 1946. This will allow public office staff to identify any records of archival value that may otherwise be destroyed. It is also used for record classes where delineation between records of long-term value and records of short-term value may prove difficult. Please contact the Appraisal Section of Archives New Zealand so as to establish the options for having these records separately appraised.¹¹

¹⁰ If further information is required please contact the Government Recordkeeping Programme at rkadvice@archives.govt.nz

¹¹ appraisal@archives.govt.nz



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