

**Disposal Schedule
for
Functional records of
Ministers of the Crown**

Disposal Authorisation No. 2339

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INTRODUCTION

Archives legislation

The *Archives Act 1983* stipulates that State and local government organisations, must not dispose of **records of any type or format** without the written approval of the State Archivist. Disposal of records involves their destruction, their removal from the custody of their creating Agency, or their transfer to the Tasmanian Archive & Heritage Office.

Schedule elements and arrangement

The administrative functions covered by this schedule are arranged in alphabetical order as function headings. The activities performed under each function are listed in alphabetical order within each function.

- **Reference**

All function and activity headings and disposal classes are allocated a reference number. These reference numbers are used, in conjunction with the schedule number, to identify records in the Tasmanian Archive & Heritage Office disposal documentation. These numbers can also be used by agencies, in the same way, to indicate disposal authorisation in their records control systems, where the records have been registered in these systems.

- **Disposal classes**

The groups of records that document, and are derived from, the performance of the functions and activities are listed as disposal classes under each function/activity set.

It should be noted that Disposal Classes have been described in functional terms irrespective of the format or medium in which the records were created.

- **Status**

All disposal classes have either 'PERMANENT' or 'TEMPORARY' status. Records identified as 'PERMANENT' are those that will be transferred to the Archives Office to be retained as State archives. 'TEMPORARY' records are those that can be destroyed under the authority of this schedule.

- **Disposal action**

All temporary records identified in this schedule will have a disposal action which specifies the length of time for which the record must be retained before it can be destroyed under this authorisation.

Review of the schedule

It is the responsibility of agencies to monitor administrative, legal or regulatory changes which may result in the need to alter disposal class descriptions or disposal actions for records covered by this schedule. When this occurs, this schedule should not be used to dispose of those records and the State Archivist should be informed of the need to revise the schedule. If necessary, the procedures for the disposal of unscheduled records can be used in the interim. Reviews may also be initiated by the Tasmanian Archive & Heritage Office.

Contacts

Any enquiries relating to this schedule should be directed in writing to the Tasmanian Archive & Heritage Office, 91 Murray Street, Hobart, email gisu@education.tas.gov.au, phone 03 6165 5581

TASMANIAN ARCHIVE & HERITAGE OFFICE

DISPOSAL AUTHORISATION No. 2339

Title: Disposal Schedule for Functional records of Ministers of the Crown

Authorisation:

Under Section 20 (2) (b) of the *Archives Act 1983*, I hereby authorise 'relevant authorities' (as defined in Section 3 of that Act) to manage the disposal of the records described in this schedule in accordance with the procedures specified herein.

Ross Latham
State Archivist

Document Development History
Build Status

Version	Date	Author	Reason	Sections
2.0	June 2015	Christine Woods	Template	All
1.0	29-12-2009	AOT	Initial Release	All

Amendments in this Release

Section Title	Section Number	Amendment Summary
All	All	Document imported into new template

INTERPRETATION

Definitions

Permanent records are those that will be transferred to the Tasmanian Archive & Heritage Office to be retained as State Archives. The *Archives Act 1983* establishes 25 years as the maximum required timeframe for the transfer of permanent records to the Tasmanian Archive & Heritage Office unless an extension of time has been approved by the State Archivist.

Temporary records are those that can be destroyed under the authority of this schedule after a minimum retention period, or once certain requirements have been met.

Coverage

This schedule covers functional records of Ministers of the Crown.

This schedule **does not cover pre-1960 records**. The disposal of those records should be managed according to the procedures for unscheduled records.

The *Disposal Schedule for Short-term Value Records - DA No. 2158* covers the disposal of short-term value records which are created by most agencies. These documents are usually of a trivial nature or of such short-term value that they do not support or contribute to the business functions of the agency.

Records not covered by these schedules, or other authorised disposal schedules, should be disposed of according to the current Tasmanian Archive & Heritage Office procedures for unscheduled records.

Preservation of records

Section 10 (1) (a) of the *Archives Act 1983* requires agencies to preserve records until they are dealt with under the Act. This places a statutory obligation on agencies to ensure that all records, regardless of format, remain accessible while they are in the custody of the agency.

Permanent records

All disposal classes of records identified as having 'PERMANENT' status in this schedule should be transferred to the Archives Office 25 years after the date of creation. Agencies may make application to the Tasmanian Archive & Heritage Office for earlier transfer of particular groups of records and the Tasmanian Archive & Heritage Office may also initiate an earlier transfer arrangement.

Records for transfer should be arranged and described in accordance with any instruction provided by the Tasmanian Archive & Heritage Office.

Temporary records

All records identified as having 'TEMPORARY' status in this schedule will have a disposal action which is the authorised date for destruction. These disposal actions specify minimum retention periods. Temporary records can be kept as long as the agency wishes following the expiration of the specified period, but the provisions of the *Archives Act 1983* regarding their proper care and custody will still apply to them.

Frequently the disposal actions will refer to '**after action completed**' which means after completion of the transaction to which the records relate. The disposal action '**destroy when reference ceases**' authorises the destruction of records when all business needs to refer to the records have ceased.

Destruction of records

The destruction method chosen for records authorised for destruction in this schedule should be appropriate to the medium in which the record exists. It is the responsibility of the agency to ensure that the identified records are actually destroyed, and that this process is confidential and secure. The following issues should be considered before destruction of any documents.

Right to Information

Right to Information legislation prescribe rights and processes for access to documents held by government agencies. If a request for access under the legislation has been lodged, all records relevant to the request, regardless of whether they are due for destruction, must be identified and preserved until action on the request and any subsequent reviews are completed.

Personal Information Protection

Personal Information Protection legislation provides appropriate safeguards for government agencies in collecting and handling individual's personal information, creating statutory obligations and a right to make a privacy complaint. If an application is in progress, all records relevant to the application must be identified and preserved until the action and any subsequent actions are completed.

Other investigations or inquiries

If an investigation or inquiry is in progress, all records relevant to the investigation or inquiry must be identified and preserved until the action and any subsequent actions are completed.

Records relating to indigenous people

Key recommendations of the Bringing Them Home Report 1997 relate to the need for the identification, preservation, indexing, management and access to records relating to Indigenous individuals, families and/or communities in accordance with established privacy principles.

Records relating to indigenous families and communities or which document links between indigenous people and localities are not to be destroyed and should be the subject of consultation with the Tasmanian Archive & Heritage Office.

Native title

If a native title claim is in progress, all documents relevant to the claim must be identified and preserved until the action and any subsequent actions are completed.

Registration of destruction

Central to the accountability process built into the disposal schedules is the requirement that agencies maintain a *Register of Records Destroyed*. It is important to recognise that the formal evidential record of destruction is contained in this registration process. The register is to be made available to the State Archivist (or his nominee) on request.

The register must be clearly identified as the *Register of Records Destroyed* (under Section 20 (2) (b) of the *Archives Act 1983*) and should include the name of the agency. The register can be the same used for registering destructions authorised under other disposal schedules. A sample format indicating the required elements for the register and related procedures are available on the Tasmanian Archive & Heritage Office website.

01.00.00	<p>RECORDS OF MINISTERS OF THE CROWN Records created during the term of office of a Minister that relate to the functioning and exercise of a Ministerial Office. Such records do not include portfolio agency records, private personal records, party political records or records a Minister or Parliamentary Secretary may hold in their capacity as a Member of the Legislative Assembly or legislative Council</p>	
01.01.00	<p>Agency Records (RECORDS OF MINISTERS OF THE CROWN) Agency records are those records that the Minister refers to the agency or records created by the agency and forwarded to the Minister</p>	
01.01.01	Originals of agency records which have been forwarded to the Minister	Return to agency when reference ceases
01.01.02	Copies of agency records held in the Minister's office including: <ul style="list-style-type: none"> • correspondence that is referred to the agency for action. • copies of replies to correspondence prepared by agency staff. • replies to parliamentary questions, including background and other briefing notes, prepared for the Minister by agency staff. • briefing notes prepared by the agency on the request of the Minister for purposes other than submission to Cabinet. 	TEMPORARY Destroy when reference ceases
01.02.00	<p>Cabinet Documents (RECORDS OF MINISTERS OF THE CROWN) Cabinet documents are defined as:</p> <ul style="list-style-type: none"> • official records, or copies of records of deliberations or decisions of the Cabinet. • records, or copies of records, proposed by a Minister for the purpose of being submitted to the Cabinet for consideration. • records containing information about a deliberation or decision of the Cabinet. 	
01.02.01	Copies of Cabinet documents held in the Minister's Office	(Documents can be returned to the Cabinet Office for destruction or the Minister's Office can undertake the destruction and certify this in writing to the Cabinet Office)
01.03.00	<p>Enquiries (RECORDS OF MINISTERS OF THE CROWN) The activity involving correspondence between the Minister, Parliamentary Secretary, members of the public and private organisations related to portfolio issues.</p> <p><i>See 01.01.00 for correspondence that is referred to the portfolio agency for action.</i></p> <p><i>See 01.05.00 for correspondence and communications with other Ministers and Parliament relating to policy and portfolio matters.</i></p>	
01.03.01	Correspondence between members of the public, private organisations and the Minister or Parliamentary Secretary on business related to the Minister's portfolio which is of major significance to the State. Records may include: <ul style="list-style-type: none"> • Petitions or lobbying of a Minister where the authorship of the petition or the lobbyist is significant or the lobbying results in new or amended legislation; • Community enquiries or reaction resulting in the reversal of a government decision. 	PERMANENT
01.03.02	Correspondence between members of the public, private organisations and the Minister or Parliamentary Secretary on business related to the Minister's portfolio which is not of major significance to the State but requires considerable investigation and a specific response	TEMPORARY Destroy 7 years after action completed.

01.03.03	Correspondence between members of the public, private organisations and the Minister or Parliamentary Secretary on business related to the Minister's portfolio which requires only a routine response or referral to another Minister or Parliamentary Secretary	TEMPORARY Destroy when reference ceases.
01.04.00	Ministerial Office Management (RECORDS OF MINISTERS OF THE CROWN) Agency records are those records that the Minister refers to the agency or records created by the agency and forwarded to the Minister	
01.04.01	Diaries or appointment books of the Premier	PERMANENT
01.04.02	Diaries or appointment books of Ministers which have been used to record detailed information concerning significant matters that are not recorded elsewhere	PERMANENT
01.04.03	Diaries and appointment books. <i>See 01.04.01 for the Premier's diary and appointment book</i> <i>See 01.04.02 for diaries or appointment books of Ministers which have been used to record detailed information concerning significant matters that are not recorded elsewhere.</i>	TEMPORARY Destroy when reference ceases
01.04.04	Records of routine administrative arrangements that pertain only to the Minister's duties or office	TEMPORARY Destroy 2 years after action completed
01.04.05	Records of Ministers' overseas travel arrangements and itineraries that have not been arranged by the portfolio agency	Transfer to portfolio agency.
01.04.06	Register of Records Destroyed (listing records destroyed in accordance with an authorised disposal schedule).	PERMANENT
01.05.00	Ministerial Portfolio Management (RECORDS OF MINISTERS OF THE CROWN) Records created or received by a Minister in the course of undertaking his or her portfolio responsibilities.	
01.05.01	Records that reflect deliberations involving a Minister that are not referred to an agency.	PERMANENT
01.05.02	Originals or master copies of public circulars and newsletters originating from the Minister's office.	PERMANENT
01.05.03	Records that originated in an agency and were subsequently annotated by the Minister or his staff	PERMANENT
01.05.04	Correspondence and communications between ministers and Parliament on policy matters and portfolio matters.	PERMANENT
01.05.05	Records relating to the creation of new agencies, changes to the Minister's portfolio responsibilities or changes to the functions of an agency within the Minister's portfolio. This includes records documenting official assignments from the Premier which are outside the Minister's current portfolio but may be expected to lead to the creation of new agencies or additional responsibilities being assigned to an existing agency.	PERMANENT
01.05.06	Records relating to the Minister's legislative responsibilities. For example, where the Minister is the last point of appeal under legislation or has additional discretionary powers and the records are not duplicated or held by the Minister's portfolio agency.	PERMANENT
01.05.07	Records relating to liaison between shareholding Ministers and Government Owned Companies that are not captured by the Minister's portfolio agency.	PERMANENT

<p>01.06.00</p>	<p>Short Term Value Records (RECORDS OF MINISTERS OF THE CROWN)</p> <p>Disposal classes in this section allows Ministers' Offices to dispose of records accumulated or created by Ministerial Office personnel which are not intended or required as a formal record of the Minister's Office. Records of such short-term value that they do not support or contribute to the functions of the Minister's Office. These include:</p> <ul style="list-style-type: none"> • records of a trivial nature • records which duplicate (or extract) information which is already held elsewhere • records with little or no administrative, fiscal, evidential, cultural, or no known historical, value. <p>It is expected that destruction under this section will be a normal administrative practice and it is not necessary to make an entry in the Register of Records Destroyed.</p> <p>ANY DESTRUCTION PRACTICE OR PROCEDURE UNDER THIS SECTION MAY BE SUSPENDED FOR SPECIAL TYPES OF DOCUMENTATION AT THE DIRECTION OF THE STATE ARCHIVIST WHERE IT IS CONSIDERED THAT SUCH RECORDS MAY BE OF CONTINUING VALUE TO THE MINISTER'S OFFICE OR THE TASMANIAN ARCHIVES & HERITAGE OFFICE</p>	
<p>01.06.01</p>	<p>Records received from outside sources that are kept solely for reference. These may include:</p> <ul style="list-style-type: none"> • unsolicited letters or promotional material which offer goods or services • anonymous letters • invitations to functions • price lists • catalogues • advertising material • statistical information • instructions and circulars • letters of appreciation • seasonal greetings • external publications (including annual reports, government gazettes) 	<p>TEMPORARY Destroy when reference ceases</p>
<p>01.06.02</p>	<p>Records documenting informal communications which do not support, or contribute to the business functions of the Minister's Office. These may include:</p> <ul style="list-style-type: none"> • 'with compliments' slips • cover notes • informal messages (including telephone, voicemail, email and post-it notes) • e-mail messages of a personal nature • subscription listserv messages 	<p>TEMPORARY Destroy when reference ceases.</p>
<p>01.06.03</p>	<p>Records of bookings made for the use of equipment, vehicles and property including meeting rooms etc. These may include:</p> <ul style="list-style-type: none"> • booking registers • schedules • diaries 	<p>TEMPORARY Destroy when reference ceases</p>
<p>01.06.04</p>	<p>Records that are used solely in the preparation of other records. These may include:</p> <ul style="list-style-type: none"> • spreadsheets or word processing documents which are incorporated into correspondence or a report • budget calculations that are incorporated in the agency budget • audio recordings that are used in the preparation of other records 	<p>TEMPORARY Destroy when reference ceases</p>
<p>01.06.05</p>	<p>Drafts of documents relating to matters of minor importance which are not required as formal Ministerial records.</p> <p><i>See 01.05.00 for drafts which document decisions and such matters as the rationale behind policy, certain legal issues, and those drafts which are circulated for comment.</i></p>	<p>TEMPORARY Destroy when reference ceases</p>

