

**Disposal Schedule  
for the  
Tasmanian Registry of Births,  
Deaths and Marriages**

**Disposal Authorisation No. 2450**

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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 Tasmanian Archive & Heritage 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](mailto:gisu@education.tas.gov.au), phone 03 6165 5581

**TASMANIAN ARCHIVE & HERITAGE OFFICE**

**DISPOSAL AUTHORISATION No. 2450**

**Title:** Disposal Schedule for Tasmanian Registry of Births, Deaths & Marriages.

**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**

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Reason</b>	<b>Sections</b>
2.0	01-07-2015	Christine Woods	Template	All
1.0	August 2014	Deborah Drinkell	Initial Release	All

**Amendments in this Release**

<b>Section Title</b>	<b>Section Number</b>	<b>Amendment Summary</b>
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 the Tasmanian Registry of Births, Deaths and Marriages.

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 Tasmanian Archive & Heritage 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 Government Information Strategy Unit (GISU) website.

<b>01.00.00</b>	<b>REGISTRATION SERVICES</b> The function of maintaining Registers of Births, Deaths, Marriages, Deeds of Relationship, Adoptions, Changes of Name, Pre-Registered Deed Polls, and Changes of Sex, occurring in Tasmania.	
<b>01.01.00</b>	<b>Birth Registrations</b> Births registered under the <i>Births, Deaths and Marriages Act 1999</i>	
01.01.01	Index and Register of Births	PERMANENT Retain in Agency
01.01.02	Records relating to births.  Records may include; <ul style="list-style-type: none"> <li>• Birth registration statements (from parents)</li> <li>• Notices of birth (from hospitals or midwives)</li> <li>• Any documents pertaining to the registration of a birth</li> <li>• Processed applications for amendments to birth records, including the <ul style="list-style-type: none"> <li>▪ Addition of biological father</li> <li>▪ Addition of marriage details</li> <li>▪ Change of Sex</li> <li>▪ Surrogacy documentation</li> </ul> </li> </ul>	TEMPORARY Destroy 100 years after registration
<b>01.02.00</b>	<b>Death Registrations</b> Deaths registered under the <i>Births, Deaths and Marriages Registration Act 1999</i>	
01.02.01	Index and Register of Deaths	PERMANENT Regain in Agency
01.02.02	Records relating to Deaths. Records may include: <ul style="list-style-type: none"> <li>▪ Death registration statements (from funeral directors or the Coroner)</li> <li>▪ Medical certificates of cause of death (from the doctor certifying the death)</li> <li>▪ Any documents pertaining to the registration of a death</li> <li>▪ Processed applications for amendments to death records.</li> </ul>	
<b>01.03.00</b>	<b>Marriage Registrations</b> Marriages registered under the <i>Births, Deaths and Marriages Registration Act 1999</i>	
01.03.01	Index and Register of Marriages:	PERMANENT Regain in Agency
01.03.02	Records of Marriages, including: <ul style="list-style-type: none"> <li>▪ Official certificates of marriage lodged to register a marriage</li> <li>▪ Processed applications for amendments to marriages</li> </ul>	TEMPORARY Destroy 75 years after registration
01.03.03	Notices of Intended Marriage Notice of Intended Marriage (NOIM) lodged at least 1 calendar month prior to the marriage	TEMPORARY Destroy after reference use ceases
01.03.04	Documentation supporting a request to shorten the period of notice required before getting married	TEMPORARY Destroy after reference use ceases

<b>01.04.00</b>	<b>Register of Religious Ministers</b> The activity of establishing and maintaining a Register of Ministers of Religion ordinarily resident in Tasmania who are authorised to solemnise marriages under the Marriage Act 1961 (Commonwealth). The Registrar of Births, Deaths and Marriages is appointed as the Registrar of Ministers of Religion.	
01.04.01	Register of Religious Ministers	PERMANENT Retain in Agency
01.04.02	Records relating to the registration of Religious Ministers. Records may include: <ul style="list-style-type: none"> <li>▪ Nomination forms received from Religious Organisations</li> <li>▪ Correspondence from Nominating Authorities regarding celebrant information</li> </ul>	TEMPORARY Retain for 1 year after registration ceases or nomination is withdrawn.
<b>01.05.00</b>	<b>Deed of Relationship Registrations</b> Deeds of Relationships registered under the <i>Relationships Act 2003</i>	
01.05.01	Register of Deeds of Relationships	PERMANENT Retain in Agency
01.05.02	Records relating to Deeds of Relationship. Records may include: <ul style="list-style-type: none"> <li>▪ Processed application forms</li> </ul>	TEMPORARY Destroy 60 years after registration
<b>01.06.00</b>	<b>Adoptions</b> Adoption records maintained under the <i>Births, Deaths and Marriages Registration Act 1999</i>	
01.06.01	Index and Register of Adoptions	PERMANENT Retain in Agency
01.06.02	Records relating to Adoptions Records may include: <ul style="list-style-type: none"> <li>▪ Adoption orders</li> <li>▪ Discharge of adoption orders</li> </ul>	TEMPORARY Destroy 100 years after registration
<b>01.07.00</b>	<b>Change of Name Registrations</b> Changes of Name registered under the <i>Births, Deaths and Marriages Registration Act 1999</i>	
01.07.01	Index and Register of Changes of Name	PERMANENT
01.07.02	Records relating to Changes of Name Records may include: <ul style="list-style-type: none"> <li>▪ Processed application forms</li> <li>▪ Pre-registered Deed Poll documents</li> </ul>	TEMPORARY Destroy 100 years after registration
<b>02.00.00</b>	<b>CERTIFICATION MANAGEMENT</b> The function of managing applications for, and verification of, certificates.	
02.01.00	Applications for Certificates	
02.01.01	Records relating to an application for a certificate. Records may include: <ul style="list-style-type: none"> <li>▪ Application form</li> <li>▪ Correspondence</li> </ul>	TEMPORARY Destroy 1 year after action completed
<b>02.02.00</b>	<b>Certificate Verifications</b>	
02.02.01	Records relating to the verification of certificates Records may include: <ul style="list-style-type: none"> <li>▪ Correspondence</li> </ul>	TEMPORARY Destroy 1 year after action completed
<b>02.03.00</b>	<b>Returned Mail</b>	
02.03.01	Mail returned to the Registry Office	TEMPORARY Destroy 1 year after action completed