

# **State Archives and Records Authority of New South Wales**

## **Functional Retention and Disposal Authority: FA388**

This authority covers records documenting the function of  
Office of the Governor of NSW

This functional retention and disposal authority is approved under section 21(2)c of the *State Records Act 1998* following prior approval by the Board of the State Archives and Records Authority of New South Wales in accordance with section 21(3) of the Act.



**State Archives and Records Authority of New  
South Wales**

**Functional Retention and Disposal Authority**

**Authority  
no** FA388

**SR file no** 17/0372

**Scope** This functional retention and disposal authority covers records documenting the function of Office of the Governor.

**Public  
office** Office of The Governor of NSW

**Approval  
date**

23/10/2017

Geoff Hinchcliffe  
Executive Director  
State Archives and Records Authority of New South  
Wales

Date

## **About the Functional Retention and Disposal Authority**

### **Purpose of the authority**

The purpose of this retention and disposal authority is to identify those records created and maintained by NSW public offices which are required as State archives and to provide approval for the destruction of certain other records created and maintained by NSW public offices, after minimum retention periods have been met.

The approval for disposal given by this authority is given under the provisions of the *State Records Act 1998* only and does not override any other obligations of an organisation to retain records.

### **The retention and disposal of State records**

The records retention and disposal practices outlined in this authority are approved under section 21(2)(c) of the *State Records Act 1998 (NSW)*. Part 3 (Protection of State Records) of the Act provides that records are not to be disposed of without the consent of the State Archives and Records Authority of New South Wales (State Archives and Records NSW) with certain defined exceptions. These exceptions include an action of disposal which is positively required by law, or which takes place in accordance with a normal administrative practice (NAP) of which State Archives and Records NSW does not disapprove. Advice on the State Records Act can be obtained from State Archives and Records NSW.

The authority sets out how long the different classes of records generated by an organisation must be kept to meet its legal, operational and other requirements, and whether the records are to be kept as State archives. State Archives and Records NSW reviews and approves organisations' retention and disposal authorities under the *State Records Act*. It is the duty of a public office, in submitting a draft retention and disposal authority for approval, to disclose to State Archives and Records NSW any information which affects the retention of the records covered by the authority.

State Archives and Records NSW's decisions take into account both the administrative requirements of public offices in discharging their functional responsibilities and the potential research use of the records by the NSW Government and the public. One of State Archives and Records NSW's functions is to identify and preserve records as State archives. These are records which document the authority and functions of Government, its decision-making processes and the implementation and outcomes of those decisions, including the nature of their influence and effect on communities and individual lives. Criteria for the identification of State archives are listed in *Building the Archives: Policy on records appraisal and the identification of State archives*. The Policy also explains the roles and responsibilities of State Archives and Records NSW and of public offices in undertaking appraisal processes and disposal activities.

### **Implementing the authority**

This retention and disposal authority covers records controlled by the public office and applies only to the records or classes of records described in the authority. The authority should be implemented as part of the records management program of the organisation. Two primary objectives of this program are to ensure that records are kept for as long as they are of value to the organisation and its stakeholders and to enable the destruction or other disposal of records once they are no longer required for business or operational purposes.

The implementation process entails use of the authority to sentence records. Sentencing is the examination of records in order to identify the disposal class in the authority to which they belong. This process enables the organisation to determine the appropriate retention period and disposal action for the records. Advice on sentencing can be

obtained from State Archives and Records NSW. See *Implementing a retention and disposal authority*.

Where the format of records has changed (for example, from paper-based to electronic) this does not prevent the disposal decisions in the authority from being applied to records which perform the same function. The information contained in non paper-based or technology dependant records must be accessible for the periods prescribed in the classes. Where a record is copied, either onto microform or digitally imaged, the original should not be disposed of without authorisation (see also the *General Retention and Disposal Authority – Original or source records that have been copied*). Public offices will need to ensure that any software, hardware or documentation required to gain continuing access to technology dependent records is available for the periods prescribed.

## **Disposal action**

### ***Records required as State archives***

Records which are to be retained as State archives are identified with the disposal action 'Required as State archives'. Records that are identified as being required as State archives should be stored in controlled environmental conditions and control of these records should be transferred to State Archives and Records NSW when they are no longer in use for official purposes.

The transfer of control of records as State archives may, or may not, involve a change in custodial arrangements. Records can continue to be managed by the public office under a distributed management agreement. Public offices are encouraged to make arrangements with State Archives and Records NSW regarding the management of State archives.

Transferring records identified as State archives and no longer in use for official purposes to State Archives and Records NSW control should be a routine and systematic part of a public office's records management program. If the records are more than 25 years old and are still in use for official purposes, then a 'still in use determination' should be made.

### ***Records approved for destruction***

Records that have been identified as being approved for destruction may only be destroyed once a public office has ensured that all other requirements for retaining the records are met. Retention periods set down in this authority are *minimum* periods only and a public office should keep records for a longer period if necessary. Reasons for longer retention can include legal requirements, administrative need, and government directives. A public office *must not* dispose of any records where the public office is aware of possible legal action (including legal discovery, court cases, formal applications for access) where the records may be required as evidence.

Once all requirements for retention have been met, destruction of records should be carried out in a secure and environmentally sound way. Relevant details of the destruction should be recorded. See *Destruction of records: a practical guide*.

Organisations should review functional retention and disposal authorities regularly to ensure that they remain relevant as the organisation's functions and activities, operating environment and requirements for records change. Retention requirements may change over time. This can occur when:

- business needs or practices change
- new laws, regulations or standards are introduced
- new technology is implemented

- government administration is restructured and functions are moved between entities, or
- unforeseen or new community expectations become apparent.

State Archives and Records NSW recommends that organisations check any functional retention and disposal authorities more than 5 years old to ensure that the retention periods and disposal actions remain relevant.

Regardless of whether a record has been approved for destruction or is required as a State archive, a public office or an officer of a public office must not permanently transfer possession or ownership of a State record to any person or organisation without the explicit approval of State Archives and Records NSW.

### **Administrative change**

This retention and disposal authority has been designed to link records to the functions they document rather than to organisational structure. This provides for a stable retention and disposal authority that is less affected by administrative change. The movement of specified functions between branches or units within the public office does not require the authority to be resubmitted to State Archives and Records NSW for approval. However, when functions move from one public office to another the public office that inherits the new function should contact State Archives and Records NSW to discuss use of any existing retention and disposal authority approved for use by a predecessor organisation.

### **Amendment and review of this authority**

State Archives and Records NSW must approve any amendment to this authority. Public offices that use the authority should advise State Archives and Records NSW of any proposed changes or amendments to the authority.

State Archives and Records NSW recommends a review of this authority after five years to establish whether its provisions are still appropriate. Either the public office or State Archives and Records NSW may propose a review of the authority at any other time, particularly in the case of change of administrative arrangements or procedures which are likely to affect the value of the records covered by this authority.

In all cases the process of review will involve consultation between State Archives and Records NSW and the public office. If the process of review reveals that this authority requires amendment, the necessary amendments should be made and approved.

#### Contact Information

State Archives and Records NSW, PO Box 516, Kingswood, NSW, 2747  
Telephone: (02) 9673 1788 E-mail: [govrec@records.nsw.gov.au](mailto:govrec@records.nsw.gov.au)

**Functional Retention and Disposal Authority  
Office of the Governor of NSW**

**Authority number: FA388**

**Dates of coverage: Open**

**List of Functions and Activities covered**

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# Functional Retention and Disposal Authority

## Office of the Governor of NSW

Authority number: FA388

Dates of coverage: Open

No.	Description of records	Disposal action
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### 1.0.0 CONSTITUTIONAL AND CEREMONIAL

The function of carrying out the constitutional and ceremonial roles of the Governor.

#### 1.1.0 Executive Council

The management of meetings between the Governor and Ministers.

1.1.1	Minutes of Executive Council meetings.	Required as State archives
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#### 1.2.0 Commissions and oaths

The management of commissions, oaths and letters patent.

1.2.1	Commissions, oaths and letters patent. Includes commissions and oaths relating to the appointment and swearing in of the Governor, Ministers and Clerks of the Executive Council.	Required as State archives
1.2.2	Records relating to deputations issued to Lieutenant Governors, and arrangements for administration of the Government of NSW in the Governor's absence.	Required as State archives

#### 1.3.0 Ceremonial

The management of ceremonial events.

1.3.1	Records relating to State and ceremonial events. Includes correspondence regarding royal visits, State funerals, openings of Parliament, official visits of heads of government and other dignitaries, country visits and official overseas visits made by the Governor, presentation of investitures such as Queen's Birthday Honours.	Required as State archives
1.3.2	Records relating to the routine coordination of ceremonial events.	Retain until administrative or reference use ceases, then destroy

#### 1.4.0 Liaison

The management of the formal relationship of the Governor with the Parliament, Government, Vice-Regal entities, etc.



## Office of the Governor

Authority number: FA388

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### *CONSTITUTIONAL AND CEREMONIAL - Liaison*

1.4.1	Records relating to liaison between the Governor and: <ul style="list-style-type: none"><li>• the Parliament, Premier, Executive Council and departments of Government</li><li>• the Governor-General and other State Governors</li><li>• the United Kingdom Parliament and Royal Family.</li></ul>	Required as State archives
1.4.2	Records relating to petitions to the Governor.	Required as State archives

### **1.5.0 Diaries and photographs**

The management of the Governor's appointments.

1.5.1	Official diaries or appointment information of the Governor and selected official photographic records.	Required as State archives
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## Office of the Governor

Authority number: FA388

Dates of coverage: Open

No.	Description of records	Disposal action
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*BILLS OF PARLIAMENT - Assent*

### 2.0.0 BILLS OF PARLIAMENT

The function of the giving of Royal Assent to Bills of Parliament.

#### 2.1.0 Assent

The giving of Royal Assent to Bills of Parliament.

2.1.1	Records relating to the giving of Royal Assent to Bills of Parliament. Includes letters from the Clerk of the Parliament forwarding the Bill to the Governor, legal opinions from the Solicitor General, letters from the Governor to the Clerk of Parliament indicating the Bill has been assented to, letters from the Governor to Ministers regarding the new Act of Parliament, and signed, sealed or annotated copies of Bills and Acts that have been used in the process of making law.	Required as State archives
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## Office of the Governor

Authority number: FA388

Dates of coverage: Open

No.	Description of records	Disposal action
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*COMMUNITY PARTICIPATION - Patronages*

### 3.0.0 COMMUNITY PARTICIPATION

The function of managing the community roles of the Governor.

#### 3.1.0 Patronages

The management of Vice-Regal patronage.

3.1.1	Records relating to requests for, and granting of, Vice Regal patronage. Also includes regrets that patronage cannot be granted.	Required as State archives
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#### 3.2.0 Hosted events

The management of events hosted by the Governor at Government House.

3.2.1	Invitations, guest lists, menus and seating arrangements for formal receptions, luncheons and dinners hosted by the Governor at Government House.	Required as State archives
3.2.2	Records relating to the coordination of receptions, luncheons and dinners hosted by the Governor at Government House.	Retain until administrative or reference use ceases, then destroy

#### 3.3.0 Events attended or invited to

The management of events attended by the Governor or to which the Governor was invited.

3.3.1	Records relating to events attended by the Governor. Includes briefs for the Governor on the event, transcripts or recordings of speeches made by the Governor and correspondence with the organisation regarding the event.	Required as State archives
3.3.2	Research notes and information gathered about an organisation in relation to an event.	Retain until administrative or reference use ceases, then destroy
3.3.3	Records relating to the Governor declining invitations to attend events (known as 'regrets').	Retain until administrative or reference use ceases, then destroy

## Office of the Governor

Authority number: FA388

Dates of coverage: Open

No.	Description of records	Disposal action
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*COMMUNITY PARTICIPATION - Community Liaison*

### 3.4.0 Community Liaison

The management of community liaison.

See **CONSTITUTIONAL AND CEREMONIAL - Liaison** for petitions presented to the Governor.

3.4.1	Correspondence to and from individuals and groups in the community where a detailed response is provided.	Required as State archives
3.4.2	Correspondence to and from individuals and groups in the community where a detailed response is not provided. Includes routine acknowledgements, nil responses, congratulatory messages sent to the Governor for birthdays or anniversaries, etc.	Retain until administrative or reference use ceases, then destroy
3.4.3	Final approved versions of formal announcements made by the Governor e.g. media releases, notices or announcements on social media.	Required as State archives

## Office of the Governor

Authority number: FA388

Dates of coverage: Open

No.	Description of records	Disposal action
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*GOVERNMENT HOUSE - Management and administration*

### 4.0.0 GOVERNMENT HOUSE

The management of Government House as a residence, office and official reception space.

See General Retention and Disposal Authority *Administrative records* **FINANCIAL MANAGEMENT** for records relating to financial management.

See General Retention and Disposal Authority *Administrative records* **PERSONNEL** for staff attendance records etc.

See General Retention and Disposal Authority *Administrative records* **PROPERTY MANAGEMENT - Conservation** for records relating to maintenance of Government House and grounds.

See General Retention and Disposal Authority *Administrative records* **PROPERTY MANAGEMENT - Leasing-out** for records relating to the hire of Government House for non Vice regal functions

See General Retention and Disposal Authority *Administrative records* **COMMUNITY RELATIONS - Visits** for records relating to visits or tours by members of the public, school groups, etc.

### 4.1.0 Management and administration

4.1.1	Records relating to significant aspects of the design, construction, maintenance, fabric, furnishings and operation of Government House as a residence, office and reception space which are useful for historical interpretation, understanding and display purposes. May include records relating to the appointment and duties of House staff.  See General Retention and Disposal Authority <i>Administrative records</i> <b>PROPERTY MANAGEMENT</b> for specific detail of records relating to the design, conservation and maintenance of heritage properties that are required as State archives	Required as State archives
4.1.2	Records relating to the routine aspects of the management and administration of Government House.	Retain until administrative or reference use ceases, then destroy