

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

### **General Retention and Disposal Authority: GA46**

Local government records - transfer of ownership

This general 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 Records Authority of New South Wales in accordance with section 21(3) of the Act.



**State Records Authority of New South Wales**

**General Retention and Disposal Authority**

**Authority no**

**GA46**

**SR file no**

**08/0473**

**Scope**

This general retention and disposal authority covers records created & maintained by councils or county councils affected by the sale of commercial operations or community services to the private sector. This authority provides authorisation for the transfer of ownership of the originals of records required by the new owners for the ongoing conduct of business operations or provision of services, subject to certain exemptions and conditions.

**Public office**

This authority applies to all New South Wales councils or county councils under the *Local Government Act 1993*.

**Approval date**

Geoff Hinchcliffe  
Director  
State Records Authority of New South Wales

02/11/2015

Date

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

### **Purpose of the authority**

The purpose of this general retention and disposal authority is to provide approval for the transfer of ownership of certain records as required as part of the sale of commercial operations or community services.

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.

### **Implementing the authority**

This general retention and disposal authority applies only to the records or classes of records described in the authority. Where ownership of records is transferred appropriate provisions should be made to enable access if required under NSW legislation.

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

State Records must approve any amendment of this authority. Contact Information

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

**General Retention and Disposal Authority  
Local government records (transfer of ownership)**

Authority number: GA46

Dates of coverage: Open

No	Function/Activity	Description	Disposal Action
		<p>Records relating to the operation and management of commercial operations or community services and facilities where the business is sold or transferred and the records are required by the new owners to continue to operate the business or provide services, <b>excepting:</b></p> <ul style="list-style-type: none"> <li>• records required as State archives</li> <li>• records relating to personnel, compensation claims, occupational health and safety, environmental hazards or contaminated sites, financial management, legal matters, strategic management, corporate governance, government relations, formal inquiries, audits or compliance, or where liabilities remain with Council or entities controlled by it, and</li> <li>• records that may be the subject of current and ongoing legal proceedings or access requests under applicable NSW legislation.</li> </ul>	<p>Transfer to new owner as required <sup>1</sup></p>

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<sup>1</sup> **Note:** Where possible copies of records should be provided. Where this is not feasible, transfer of ownership of original records is permitted. Where ownership of original records is transferred appropriate provisions should be made to enable access as may be required or as required under any legislation.