



Records disposal schedule

Records Disposal Schedule Mining Management Department of Mines and Energy

Disposal Schedule No. 2014/26

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Preamble

Introduction

The *Information Act* states that public sector organisations must safeguard their records and must not delete or otherwise dispose of a record unless authorised to do so¹. Disposal of records is permitted through the use of records disposal schedules and enable regular, planned and authorised disposal of records controlled by an agency.

Records retention decisions are based on:

- the current and future business needs of the organisation
- compliance with legal and governance requirements of the organisation
- the current and future needs of internal and external stakeholders, including the wider community.

Records disposal schedules provide continuing authorisation for the legal disposal of records and are authorised by the records service, archives service and chief executive officer of the public sector organisation responsible for the schedule.

Records disposal schedules apply to records created and maintained in any format, including electronic records, records in business systems, and parts of records.

In the Northern Territory government there are two types of records disposal schedules:

- General records disposal schedules that apply to records common to most or all NT Government public sector organisations (http://www.nretas.nt.gov.au/knowledge-and-history/ntas/records/records_disposal), and
- Functional records disposal schedules that apply to records specific to an NT Government public sector organisation or function.

Functional records disposal schedules should be used in conjunction with general records disposal schedules.

Structure of a Records Disposal Schedule

Records disposal schedules set out minimum requirements for the creation, maintenance, retention or destruction actions to be taken in relation to existing or future records described in each class. Records disposal schedules specify

- a) whether a class of record has temporary or permanent status;
- b) the retention period for a temporary class of record;
- c) authorised disposal actions for a class of record.²

Each class of records created by an agency is described using classifications based on business analysis.

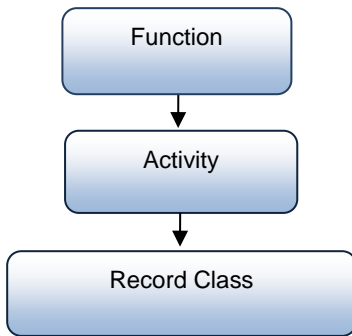
Disposal schedules are developed using the functional structure based on the business classification scheme of the *Keyword AAA: A Thesaurus of General Terms* produced by the State Records Authority of NSW and modified for use by NT Government public sector organisations.

¹ S.145 *Information Act*

² S.136A(3) *Information Act*

Within the schedule, functions are documented as the highest level terms and business activities under the functions, followed by record classes, as shown in diagram 1.

Diagram 1



Function

The function or keyword is the highest level in the classification scheme in this disposal schedule. The function is indicated at the start of each section and a description (scope note) provided.

Activity

Activities are the processes or operations that make up the business function. This is the second level in the classification scheme in this disposal schedule. The description (scope note) provides details of the transactions that take place in relation to the activity, for example, REPORTING or POLICY.

Record Class

A record class is a group of records that relate to the same activity, function or subject and require the same disposal action. The descriptions can relate to one record (such as a register) or a group of records documenting a particular set of business transactions.

Status and Disposal Action

The appraisal status of a record class is assigned as either permanent or temporary.

Permanent Records: Records appraised with permanent status have been identified as archives and must be transferred to the NT Archives Service for their preservation and eventual public access.

The retention period for permanent records is the maximum period before the records must be transferred to the NT Archives Service. Permanent records must be transferred no later than 30 years after creation in accordance with the Information Act, unless exemption has been granted (see Archives Management Standards Transfer of Archives, and Exemption from Compulsory Transfer of Permanent Records to the NT Archives Service). An Application to Transfer Records form must be submitted to the NT Archives Service before records will be accepted for transfer.

Temporary records: The retention period for temporary records is the minimum period before the records can legally be destroyed. The retention period is calculated after an event or a disposal trigger such as 'date of action completed', 'date of audit' or 'date of birth'. Destruction should be done following consultation with relevant operational business employees responsible for the records.

Retention periods for temporary records in a records disposal schedule are minimum periods only and agencies may keep records for a longer period if considered necessary for business requirements.

Reasons for longer retention could include,

- administrative need or agency directives,
- legal requirements such as current or pending legal action,
- relevance to an investigation or inquiry which is in progress,
- is subject to an Information Access application, or
- subject to a disposal freeze.

Records created prior to 1 July 1978 must not be disposed of without the authorisation of the NT Archives Service in accordance with Archives Management Standard Records Created Prior to 1978, unless specified in a schedule.

Sentence records with this records disposal schedule using the following five steps:

1. Determine the appropriate function and activity of the records. This can be done by examining an existing record or when creating a new record.
2. Identify the disposal class.
3. From the disposal action in the class, identify the trigger event and a date when the record can be disposed of, alternately, identify that the record is to be retained permanently as archives.
4. If the trigger event has already occurred (such as action is completed), confirm and implement the disposal action.
5. If the trigger event has not occurred (e.g. the record is still in active use), set a review date for the future.

About this Records Disposal Schedule

Purpose

The purpose of this Records Disposal Schedule is to enable regular, planned and authorised disposal of records of Mining Management of the Department of Mines and Energy.

Scope

Application of this Records Disposal Schedule is mandatory for Mining Management records of the Department of Mines and Energy.

This Records Disposal Schedule applies to Mining Management records in all formats.

Responsibility

The Chief Executive of the Department of Mines and Energy is responsible for the content and implementation of this Records Disposal Schedule including the provision of advice and training, and for monitoring compliance.

Authority

This Records Disposal Schedule is authorised in accordance with S. 136B of the *Information Act*.

Disposal Schedule No. 2014/26 was approved by the Director of the NT Archives Service (The Archives Service), Senior Director of ICT Policy and Governance (The Records Service), and the Chief Executive of the Department of Mines and Energy on 5 December 2014 and is effective immediately.

Resentencing Records

All records sentenced under the now superseded records disposal schedule 2010/1 Disposal Schedule for records of the Mines Operations are to be re-sentenced using this schedule.

Regulatory Framework

The regulatory basis for this Records Disposal Schedule is defined in:

- *Mining Management Act*
- *Mining Management Regulations*
- *Aboriginal Land Rights (NT) Act*
- *Native Title Act (Commonwealth)*
- *Atomic Energy Act 1953 (Commonwealth)*
- *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)*
- *Environment Protection and Biodiversity Conservation Regulations 2000 (Commonwealth)*
- *Environment Protection (Alligator Rivers Region) Act 1978 (Commonwealth)*
- *Information Act*
- NT Government Records Management Standards
- NT Government Archives Management Standards
- Australian Standards AS ISO 15489:2002-Records Management

Related Documents

This Records Disposal Schedule is to be read in conjunction with:

- NT Government Records Management Standard – Records Disposal
- policies and procedures of the Department of Mines and Energy
- current authorised disposal schedules for Department of Mines and Energy

Normal Administrative Practice

Public sector organisations are permitted to dispose of some short term or ephemeral documents under the authority of the Disposal Schedule for Short Term Value Records. These include:

- duplicate (eg information or reference copy)
- obviously unimportant (e.g. telephone message slips)
- of short term facilitative value (e.g. compliment slips)
- a combination of these

The guiding principle is that organisations should be sure that destroying these records will not destroy evidence that might be needed.

Records that have been captured into a recordkeeping system should be destroyed using the Disposal Schedule for Short Term Value Records unless the class of records has been identified in a specific disposal schedule.

Notification of Destruction

Provide formal notification of destruction of all records to the NT Records Service.

Note: In the case of the Disposal Schedule for Records of Short Term Value (Disposal Schedule No. 2003/10), notification is only required for the destruction of records described in Disposal Class No. 1.10.1.

Acknowledgement

The NT Archives Service and the NT Records Service acknowledge that material produced by National Archives of Australia, State Records Authority of New South Wales, State Records of South Australia, Public Records Office of Victoria, Territory Records Office and Standards Australia was used in the development of this schedule.

This work is copyright. Apart from any use as permitted under the Copyright Act 1968, no part may be reproduced by any process without prior written permission of the NT Archives Service. Requests and enquiries concerning reproduction and rights should be directed to the Director, NT Archives Service. The terms in the business classification scheme are based on the Keyword AAA: A Thesaurus of General Terms (Government of New South Wales, 1998), and are produced under a licence agreement between the NT Archives Service and the State Records Authority of New South Wales.

Compliance Checklist

- Implement a records disposal program to ensure regular appraisal, sentencing, destruction and transfer of all records
- Assign responsibility for the management and application of regular records disposal action using authorised records disposal schedules, to an appropriately skilled records manager who consults with the NT Archives Service and NT Records Service
- Familiarise all employees of the organisation with the authorised records disposal schedules relevant to the organisation's records
- Identify and sentence all records described in this schedule in all formats including electronic records and records in business systems, copies of records and parts of records
- Ensure all copies of temporary records are destroyed in any format (including backups), unless otherwise stated in a disposal schedule
- Apply this records disposal schedule to records in the organisation's records management systems, including systems for the management of paper records, electronic records, or records in any other format
- Apply this records disposal schedule to records in the organisation's business systems, either directly or by linking the business system to a records management system
- Implement quality assurance mechanisms to periodically check that the disposal class originally assigned at the creation of the records is still applicable at the time of sentencing of the record
- Implement review or quality control procedures in recordkeeping systems to ensure disposal actions are implemented correctly
- Identify records that require re-sentencing where a previous disposal schedule has been superseded
- Stop applying sentences from previous schedules that have been revoked or amended
- Retain all records in good order and condition to be available for retrieval during the retention period.
- Identify and update control records so that you can demonstrate what happened to each record, whether paper or electronic
- Implement an appropriate and approved strategy for retention of records of continuing value, eg. preservation in original form, migration to new systems, and conversion to long term medium
- Dispose of all records sentenced according to this schedule in all formats including electronic records and records in business systems, copies of records and parts of records
- Transfer records of permanent value to the NT Archives Service for retention as archives not later than 30 years after creation
- Inactive records can be transferred to offsite service providers providing they have been sentenced
- Destroy time expired temporary records in a secure manner that ensures complete deletion/destruction beyond any possible reconstruction
- Notify the NT Records Service of destruction of all records
- Do not destroy records that are not described in an authorised records disposal schedule.
- Do not destroy any records created prior to 1 July 1978 without specific authorisation from the NT Archives Service

Disposal Schedule

1. Mining Management

The function of regulating the management of mining activities within the Northern Territory, including authorisations, environmental management, monitoring for compliance, investigations and the establishment and conduct of the Mining Board.

1.1 Advice

The activities associated with offering opinions by or to the organisation as to an action or judgement. Includes the process of advising.

Class No.	Description of Records	Status and Disposal Action
1.1.1	<p>Records documenting formal advice to and from the Minister, such as from the Mining Board.</p> <p>Includes exemptions and competencies required of persons and specific mining activities declared by the Minister.</p> <p>Also includes consultation notes with the Commonwealth Minister, comments on Environmental Protection Authority guidelines and environmental assessments of mine sites, gazette notices and varied or revoked guidelines.</p>	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>
1.1.2	<p>Records documenting routine advice given to members of the public and industry on licensing processes and legislation requirements.</p> <p>Includes advisory notes.</p>	<p>Temporary</p> <p>Destroy 3 years after action completed</p>

1. Mining Management

The function of regulating the management of mining activities within the Northern Territory, including authorisations, environmental management, monitoring for compliance, investigations and the establishment and conduct of the Mining Board.

1.2 Agreements

The process associated with the establishment, maintenance, review and negotiation of agreements. Includes formal agreements and/or exchange of letters between parties, as well as information agreements.

Class No.	Description of Records	Status and Disposal Action
1.2.1	Records documenting the establishment, negotiation, maintenance and review of agreements, such as the Agreement between the Commonwealth of Australia and the NT in relation to principles to be applied in the regulation of uranium or thorium mining in the NT. Includes memorandums of understanding.	Permanent Transfer to the NT Archives Service 10 years after action completed

1. Mining Management

The function of regulating the management of mining activities within the Northern Territory, including authorisations, environmental management, monitoring for compliance, investigations and the establishment and conduct of the Mining Board.

1.3 Authorisation

The process of seeking and granting permission to undertake requested action.

Class No.	Description of Records	Status and Disposal Action
1.3.1	Records documenting delegations of authority from the Minister to the Chief Executive, or an authorised person, of powers and functions under the Act. Includes legal instruments of delegations for authorised officers.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.3.2	Records documenting the granting of authorisation to carry out mining activities by the Minister, including refusals, variations and revocations. Includes applications, mining management plans and amendments, appointed operators and start dates, information requested by the Minister to the operator, receipts of securities and annual levies, periodic reports to the Minister, notifications of proposed cessation of mining activities, terms and conditions, final decisions, compliance inspections and audits, infringement notices, investigations into environmental incidents, and certificates of closure of a mining site. May include consultation with the Commonwealth Minister where there is intent to mine uranium or thorium or mining relates to the Ranger Project Area. Applications for review of decisions of the Minister or his delegate, including review panel decisions.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.3.3	Records documenting the appointment of mining officers. Includes legal instruments, terms and conditions and returned identity cards where the mining officer has ceased their position.	Temporary Destroy 7 years after end of appointment

1. Mining Management

The function of regulating the management of mining activities within the Northern Territory, including authorisations, environmental management, monitoring for compliance, investigations and the establishment and conduct of the Mining Board.

1.4 Committees

The activities associated with the management of committees, sub committees, councils, forums working groups, boards and task forces (internal and external, private, community, local, state, national, international, etc.). Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes, reports, agendas etc.

Class No.	Description of Records	Status and Disposal Action
1.4.1	Records documenting the establishment of the Mining Board. Includes nominations and appointments of chairpersons, members and acting members, including terms and conditions, terminations and resignations.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.4.2	Records documenting meetings of the Mining Board. Includes notifications of meetings, agendas, minutes, discussion papers and decision registers.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.4.3	Records documenting the administrative arrangements of Mining Board meetings. Includes draft agendas, travel and accommodation arrangements, sitting fees, venue and food catering.	Temporary Destroy 3 years after action completed

1. Mining Management

The function of regulating the management of mining activities within the Northern Territory, including authorisations, environmental management, monitoring for compliance, investigations and the establishment and conduct of the Mining Board.

1.5 Compliance

The activities associated with complying with, or monitoring compliance with, mandatory or optional accountability, fiscal, legal, regulatory or quality standards or requirements. Includes compliance with legislation and with national and international standards.

Class No.	Description of Records	Status and Disposal Action
1.5.1	<p>Records documenting the reporting of serious environmental incidents to the Chief Executive where an investigation has taken place, including where the operator is not authorised.</p> <p>Includes inspections, written reports to the Chief Executive, show cause responses, witness statements, photos, and file notes, written reports of investigation findings and final directions by the mining officer.</p> <p>May include copies of court orders and supporting documentation.</p>	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>
1.5.2	<p>Records documenting investigations into minor contraventions of the Act.</p> <p>Includes file notes, witness statements, photos, written instructions to the operator, extracts of documents, and final decisions, copies of court orders and receipts for reimbursements of investigation costs.</p>	<p>Temporary</p> <p>Destroy 15 years after action completed</p>
	<p>Use LEGAL SERVICES – LITIGATION – where the agency has taken the matter to court.</p>	

1. Mining Management

The function of regulating the management of mining activities within the Northern Territory, including authorisations, environmental management, monitoring for compliance, investigations and the establishment and conduct of the Mining Board.

1.6 Control

The activities associated with creating, maintaining and evaluating control mechanisms, eg Thesaurus.

Tip: Includes classification, indexing, registration, forms design, etc. to ensure maximum control over records and recordkeeping systems. Also includes control mechanisms for other information resources and systems.

Class No.	Description of Records	Status and Disposal Action
1.6.1	<p>Database of mining management activities.</p> <p>Recorded information includes:</p> <ul style="list-style-type: none"> - operator details - authorisation number - mining management plans - submission details - security details - incidents - infringements - complaints 	<p>Permanent</p> <p>Retain in organisation (manage and migrate data to new platform system during system upgrades)</p> <p>Transfer hardcopy register to the NT Archives Service 10 years after last entry</p>

1. Mining Management

The function of regulating the management of mining activities within the Northern Territory, including authorisations, environmental management, monitoring for compliance, investigations and the establishment and conduct of the Mining Board.

1.7 Fund Management

The activities associated with the management of funding bodies.

Class No.	Description of Records	Status and Disposal Action
1.7.1	Records documenting the establishment of the Mining Remediation Fund where trust money is used by the organisation for the purpose of minimising or rectifying environmental harm caused by unsecured mining activities.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.7.2	Records documenting the management of the Mining Remediation Fund. Includes audited accounts, financial statements and payments in and out of the fund.	Temporary Destroy 7 years after last audit