General Disposal Authority

Records Relating to the Commonwealth of Australia Versus Cockatoo Island Dockyard Pty Ltd Arbitration
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AUTHORISATION

GENERAL DISPOSAL AUTHORITY 23
INTRODUCTION

1. The Archives Act and the Disposal of Records

1.1 The Australian Archives, under the Archives Act 1983, has responsibility for authorising the disposal of Commonwealth records. Disposal includes:
   - identifying and retaining records of permanent value;
   - destroying records of temporary value;
   - arranging transfers of the custody of records; and
   - arranging transfers of the ownership of records.

Section 24 of the Act (dealing with disposal) prohibits destruction, transfer, damage or alteration of records unless:
   - such action is required by law;
   - authorisation has been given by the Archives;
   - such action is a 'normal administrative practice' not disapproved of by the Archives; or
   - such action returns records to Commonwealth custody.

1.2 The Australian Archives gives permission for the disposal of records through Disposal Authorities. These authorities describe classes of records, state how long they are to be retained and recommend where the records should be kept when no longer in current use. This document is one such authority.

2. Purpose of this Authority

2.1 General Disposal Authority No. 23 authorises the destruction or other disposal of Commonwealth records as required by Section 24(2)(b) of the Archives Act 1983.

The Australian Archives has produced this General Disposal Authority for the disposal of records relating to Commonwealth of Australia versus Cockatoo Island Dockyard Arbitration proceedings. Its purpose is to ensure that any records which have been used as evidence in the arbitration, or records which are of potential value in case of further arbitration or litigation action, are kept for as long as they are required.

3. Scope of this Authority

3.1 General Disposal Authority No. 23 authorises the disposal of records which document matters relating to:
   - the installation, use, identification, neutralisation, dumping, clean-up, removal etc of contamination in various forms on, or from the surrounding waters of, Cockatoo Island.
   - Personal history and other types of records maintained on staff members, employees and contractors who were employed on Cockatoo Island Dockyard.

This includes all records which document such matters, irrespective of their format. Plans, maps and photographs, for example, are subject to this authority in the same way as are files, cards, microfiche, electronic records, etc.
3.2 Records of employees, staff members and contractors employed on Cockatoo Island Dockyard which have not been discovered so far, should be identified and retained under entry 2 of this General Disposal Authority, by the relevant agencies.

3.3 The Authority applies only to the records described in the entries. If you are unsure about the interpretation of a disposal provision, or about the applicability of a description to your records, please contact your agency’s archives or records management officer or the Australian Archives, Records Evaluation and Disposal, PO Box 34 Dickson ACT 2602, Telephone (06) 209 3633.

4 Transfer and Storage of Records

4.1 Section 27 of the Archives Act provides that records should be transferred to the custody of Australian Archives once they are no longer required to be readily available to the agency which created them. It also provides that records still in the custody of a Commonwealth institution once they have been in existence for 25 years should be transferred to the custody of the Archives as soon as practicable after that date.

4.2 Australian Archives will not accept transfers of unsentenced records (that is records which have not been evaluated against a current records disposal authority issued by the Archives) or of sentenced unclassified records which have a retention period of less than 30 years from creation.

4.3 Australian Archives will accept transfers of sentenced security classified records regardless of their retention period. Such records must not be stored with private contractors or on premises not under the control of a Commonwealth agency.

4.4 Section 29 of the Archives Act provides that in certain circumstances it may be determined that records need not be transferred to the custody of Australian Archives in accordance with section 27. These circumstances might include the exceptional sensitivity of the records or the fact that they were still frequently required by the creating agency for administrative purposes.

4.5 Records transferred to the custody of Australian Archives may be withdrawn for further reference by the agency through the Archives’ lending service or consulted on the Archives’ premises.

5 Destruction of Records

5.1 When records are destroyed in accordance with the provisions of an authority, the Australian Archives must be notified on form NAS 45, Notification of Records Destroyed, within 30 days of the date of destruction. Copies of the form are available from Australian Archives offices. Guidelines for completion are shown on the reverse side of the form.

5.2 Temporary value records transferred to the Australian Archives’ custody will be destroyed at the appropriate time, subject to the consent of the agency.

6 Amendment of Disposal Authorities

6.1 This disposal authority may be amended or superseded. Please make sure you are using the current disposal authority. If you believe that authority should be amended in any way please contact the Australian Archives. Amendments must be authorised by Australian Archives.
## CONTACT INFORMATION

<table>
<thead>
<tr>
<th>CANBERRA OFFICE</th>
<th>ADELAIDE OFFICE</th>
<th>SYDNEY OFFICE</th>
</tr>
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<tbody>
<tr>
<td>Queen Victoria Terrace</td>
<td>11-13 Derlanger Avenue</td>
<td>120 Miller Road</td>
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<tr>
<td>Parkes ACT 2600</td>
<td>Collinswood SA 5081</td>
<td>Chester Hill NSW 2162</td>
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<tr>
<td>PO Box 7425</td>
<td>PO Box 119</td>
<td>Locked Bag 4</td>
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<tr>
<td>Canberra Mail Centre</td>
<td>Walkerville SA 5081</td>
<td>Chester Hill NSW 2162</td>
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<tr>
<td>ACT 2610</td>
<td>Tel: (08) 8269 0100</td>
<td>Tel: (02) 9645 0100</td>
</tr>
<tr>
<td>Tel: (02) 6212 3600</td>
<td>Fax: (08) 8269 3234</td>
<td>Fax: (02) 9645 0108</td>
</tr>
<tr>
<td>Fax: (02) 6212 3699</td>
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<tr>
<th>BRISBANE OFFICE</th>
<th>PERTH OFFICE</th>
<th>DARWIN OFFICE</th>
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<tbody>
<tr>
<td>996 Wynnum Road</td>
<td>384 Berwick Street</td>
<td>Kelsey Crescent</td>
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<tr>
<td>Cannon Hill QLD 4170</td>
<td>East Victoria Park WA 6101</td>
<td>Nightcliff NT 0810</td>
</tr>
<tr>
<td>PO Box 552</td>
<td>PO Box 1144</td>
<td>PO Box 24</td>
</tr>
<tr>
<td>Cannon Hill QLD 4170</td>
<td>East Victoria Park WA 6101</td>
<td>Nightcliff NT 0810</td>
</tr>
<tr>
<td>Tel: (07) 3249 4222</td>
<td>Tel: (08) 9470 7500</td>
<td>Tel: (08) 8948 4577</td>
</tr>
<tr>
<td>Fax: (07) 3399 6589</td>
<td>Fax: (08) 9470 2787</td>
<td>Fax: (08) 8985 1617</td>
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<tr>
<th>MELBOURNE OFFICE</th>
<th>HOBART OFFICE</th>
<th>INTERNET</th>
</tr>
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<tbody>
<tr>
<td>31 Vision Drive</td>
<td>4 Rosny Hill Road</td>
<td>Email: <a href="mailto:archives@naa.gov.au">archives@naa.gov.au</a></td>
</tr>
<tr>
<td>East Burwood VIC 3151</td>
<td>Rosny Park TAS 7018</td>
<td>WWW: <a href="http://www.naa.gov.au">http://www.naa.gov.au</a></td>
</tr>
<tr>
<td>PO Box 8005</td>
<td>Tel: (03) 6244 0105</td>
<td>&gt;</td>
</tr>
<tr>
<td>Burwood Heights 3151</td>
<td>Fax: (03) 6244 6834</td>
<td></td>
</tr>
<tr>
<td>Tel: (03) 9803 1099</td>
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<td>Fax: (03) 9886 1267</td>
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AUTHORISATION

GENERAL DISPOSAL AUTHORITY 23

Person to whom notice of authorisation is given:

Secretaries of Departments and Heads of Authorities (as listed in Attachment A to the Covering Memorandum accompanying this Authority; ie in Attachment A to Australian Archives 1996/1378

Purpose:

Authorises arrangements for the disposal of records in accordance with Section 24(2)(b) of the Archives Act 1983

Authorises addition to, or alteration of, a record over 25 years old in accordance with Section 26(2)(b) of the Archives Act 1983

Application:

Records relating to the Commonwealth of Australia versus Cockatoo Island Dockyard Pty Ltd Arbitration

This authorisation applies to only the disposal of the records described on the authority in accordance with the disposal action specified on the authority. The authority will apply only if disposal takes place with the consent of the agency that is responsible at the time of disposal for the functions documented in the records concerned.

[Michael Piggott]
Authorising Officer, Australian Archives

10 September 1996
Date of Issue

Michael Piggott
National Director
Records Evaluation and Disposal

Date of Amendment
# GENERAL DISPOSAL AUTHORITY 23

**Records Relating to the Commonwealth of Australia Versus Cockatoo Island Dockyard Pty Ltd Arbitration**

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<th>Entry</th>
<th>Description of Records</th>
<th>Disposal Action</th>
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<td>SCOPE NOTE 1</td>
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This General Disposal Authority takes precedence over all other authorities relating to these records. Its purpose is to ensure that any records which have been used as evidence in the Commonwealth of Australia versus Cockatoo Island Dockyard Arbitration, or records which are of potential value in case of further arbitration or litigation action, are kept for as long as they are required.

**SCOPE NOTE 2**

**Records over 25 years old**

In accordance with Section 26(2)(b) of the Archives Act 1983, permission is hereby given for attachment of a label to files if they are over 25 years old.

Purpose of attaching a label is to ensure that these records are clearly identifiable and protected for as long as required. The label should clearly state that:

- this record is required to be retained under General Disposal Authority 23 issued by Australian Archives. Transfer to Australian Archives immediately agency reference ceases.

Permission is not given for records to be altered.

This approval is given providing the officers who attach the labels to these files ensure that their action:

- is clearly documented (ie the date on which label is attached is indicated on the file);

- does not destroy or obscure the original information on which subsequent actions and decisions have been made;

- does not jeopardise the physical preservation of the record.

**GENERAL DISPOSAL AUTHORITY 23**

*Records Used in the Commonwealth of Australia Versus Cockatoo Island Dockyard Pty Ltd Arbitration*
Entry | Description of Records | Disposal Action
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**SCOPE NOTE 3**

**Personal History Records**

Records of employees, staff members and contractors employed on Cockatoo Island Dockyard which are still held in the agencies and were not discovered for the arbitration, should be identified and retained under entry 2.

1. Records used as evidence in the Cockatoo Island Dockyard arbitration, or records which are of potential value in case of further arbitration or litigation action (excludes personal history records) | Retain permanently. Transfer to Archives immediately agency reference ceases

2. Personal history and other types of records maintained on staff members, employees and contractors who were employed on Cockatoo Island Dockyard | Destroy in the year 2050. Transfer to Archives immediately agency reference ceases