



General Disposal Authority

For source records that have been copied,
converted or migrated

February 2003

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EXECUTIVE SUMMARY

The reproduction of records by copying, conversion or migration processes raises the question of what to do with the source records. Should they be kept? Or can they be destroyed if no longer required?

Where the processes used produce accurate, authentic reproductions that meet functional requirements, and the reproductions are kept to adequate recordkeeping standards, it may be appropriate to destroy the source records earlier than scheduled.

However, decisions about whether or not to keep the source records need to be considered, taking into account requirements for, and benefits of, retaining the source records, reproduction quality standards, useability, accessibility, and capacity to maintain the reproductions for as long as required.

The disposal of Commonwealth records is subject to the *Archives Act 1983*. In general, the Archives' permission is needed for the destruction of Commonwealth records. In the Commonwealth jurisdiction, both the source records and reproductions of them are considered to be Commonwealth records.

Since 1995, *General Disposal Authority No. 22 for Records of Short Term Value That Have Been Copied* (GDA 22) has provided a general permission from the Archives for the early destruction, after copying, of records with retention periods of 30 years or less from their creation date. Requests from Commonwealth agencies for permission to dispose of other categories of source records after copying, conversion or migration have been dealt with on a case-by-case basis.

Since GDA 22 was issued, the technological environment has changed. It is now common practice to convert or migrate electronic records to upgraded hardware platforms and software applications. Copying electronic records such as email, and scanning paper documents into electronic systems, are also common.

In response, the Archives has decided to extend general disposal coverage to a wider range of records, replacing GDA 22 with the *General Disposal Authority for Source Records That Have Been Copied, Converted or Migrated*. The extended coverage of this new general disposal authority (GDA) should considerably reduce the need for agencies to seek additional specific permission from the Archives for the early destruction of source records after copying, conversion or migration.

Subject to some exclusions and conditions this GDA applies to:

- (a) all source records created from 1 July 2002, whether or not they are covered by a disposal authority, and including those that are scheduled for retention as national archives but in a way that does not prescribe their retention in a particular form;
- (b) source records created before 1 July 2002 that come within 'temporary' disposal classes issued by the Archives;
- (c) source records created before 1 July 2002 in a form that the agency has never used and relied on in the normal course of business, and which have been retained only because there has been no disposal authority permitting early destruction; and
- (d) any source records that cannot have their authenticity, integrity, or useability protected by keeping them as originals, or are at high risk of unplanned loss or alteration because of the inherently unstable nature of the media or technological platform used to record them.

The GDA applies to reproductions that themselves become source records for subsequent copying, conversion or migration processes.

Specific permission must still be sought from the Archives for the early destruction or other disposal of source records that meet the following two criteria:

- The records were created before 1 July 2002 in a form that was, at some point, the principal form of the record that the agency used and relied on in the normal course of business; and
- The records are either unappraised or included in an Archives-approved disposal authority for permanent retention or retention as national archives.

Note that some source records eligible for destruction under this GDA may be unappraised. It is important to be aware that before the latest reproductions retained in place of such source records can be destroyed, they will need to be appraised and sentenced under an appropriate disposal authority.

The Archives' permission in this GDA is subject to a number of exclusions and conditions. If any of the exclusions pertain to the records in question, they cannot be destroyed. Similarly, if any of the conditions are not met, the records cannot be destroyed. Agencies must therefore consider these exclusions and conditions before using the GDA as justification for destroying source records.

The *exclusions* relate to source records that are subject to:

- legal requirements
- judicial proceedings
- government policies or directions
- disposal authorities that are form-specific
- disposal freezes that overrule the GDA
- reproduction for convenience of reference only.

The GDA is intended to apply only to source records from which reproductions have been made and kept as official records.

The *conditions* cover a range of matters to do with the production and maintenance of the reproductions. They address:

- the administrative context in which the GDA may be applied
- standards of reproduction
- processes of management, quality control and documentation
- maintenance of the reproductions as official records in recordkeeping systems
- protection of public access rights
- maintenance of electronic systems
- management of source records pending disposal.

The GDA and its associated exclusions and conditions are quite complex. Agencies need to consider their own circumstances and decide, first, whether they are able to destroy records under the GDA and, second, whether they wish to adopt the GDA as agency policy.

Agencies are responsible for assessing their need to retain source records for business purposes, to assist in the detection of fraud and to meet their obligations to other corporations and individuals.

The Archives strongly recommends that agencies conduct feasibility studies, cost-benefit analyses and risk assessments before committing themselves to major copying, conversion or migration programs or to recordkeeping technologies that necessitate such programs.

The GDA is not a direction by the Archives to destroy any records. The Archives does not support the early destruction of source records unless the reproductions are functionally equivalent for all reasonable legal and business purposes.

Document structure

This document comprises the following.

Part 1: Introduction explains the context and purpose of the GDA, along with its scope, limits and relationship to other disposal authorities.

Part 2: Explanatory notes comprises the glossary and a full explanation of the exclusions and conditions integral to the disposal authority.

Part 3: Implementing this disposal authority is a guide for agencies wishing to use the GDA. Also in this part are:

- ‘Are your source records covered by the GDA?’ – a quick reference guide in the form of a flowchart for ascertaining the situations in which the GDA can be used.
- ‘Checklist’ – step-by-step guidance on executing the GDA, for checking that the main requirements of the GDA are being met.

Part 4: General disposal authority contains the actual authorisation, including a description of records subject to the GDA, and the exclusions and conditions.

For explanations of terms used, please refer to the ‘Glossary’ in Part 2.

Contact information

Enquiries about this disposal authority should be directed to the Canberra office of the National Archives of Australia:

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Parkes ACT 2600

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1 INTRODUCTION

Copying, conversion and migration processes take recorded information from a known source, such as paper-based or digital records, and reproduce it in the same or a different form, medium or system. The challenge is to avoid loss of essential information available in the source record (its content, structure and context) and also to avoid introducing new information in the process that could alter the original meaning or its interpretation.

While some loss of information may be unavoidable, copying, conversion or migration can often be done in such a way as to maintain functional equivalence with the source record, if proper processes are followed.

The reproduction should accurately reproduce the source record in all relevant respects. It should also be possible to vouch for its authenticity and, through careful management, demonstrate that it has not been altered in an accidental or unauthorised way since it was made. These three points:

- accurate reproduction
- vouch for authenticity
- demonstrate no subsequent alterations

are key to the success of any copying, conversion or migration project. They will apply differently to different types of reproduction process, storage media and systems. They are particularly important if the source records will become unavailable.

Copying, conversion and migration do not necessitate or usually cause the destruction of the source records that are the subject of, or input to, those processes. In most cases the source records continue to exist along with the output of the copying, conversion or migration process, referred to here as reproductions. Decisions therefore need to be made about the appropriate disposal and management of both the source records and the reproductions. Such decisions should be well informed, taking account of factors such as the purpose of the copying, conversion or migration, the intended uses of the records, retention requirements, preservation issues, costs and practicality.

Similar issues are involved, with more urgency, in cases where the copying, conversion or migration process itself removes the capacity to access the source records in the way they could be accessed before the process was undertaken.

The Archives is aware that many Commonwealth agencies would prefer to destroy source records as soon as practicable after copying, conversion or migration, and to maintain and use the reproductions as official records in their stead. The *Commonwealth Evidence Act 1995* and *Electronic Transactions Act 1999* have lent support to agencies seeking to convert their paper-based documents to electronic form.

In many cases the reproduction, rather than the source record, is the record that is actually used in the business transactions of the agency. For example, if a paper document is digitised on receipt and the digital version is captured in a business system, action officers may refer only to the reproduction when taking subsequent action. In such situations, the reproduction is the version used and relied on in the course of business.

While destruction of the source records is appropriate in many cases, care needs to be taken in each case to find the best option, or the best mix of options.

Disposal strategies

In relation to disposal there are three broad options for dealing with source records and reproductions:

- keep the source record and the reproduction for the same retention period, whatever that period is determined to be;
- regard the reproduction as a dispensable subsidiary to the source record, perhaps using the reproduction as a backup, or to minimise wear and tear on the source record, which is retained for the full retention period; or
- retain the reproduction as the pre-eminent form in place of the source record.

This GDA is primarily concerned with the third option as it applies to Commonwealth records.

Disposal of Commonwealth records and the Archives Act

Within the Commonwealth, both the source records and reproductions of them are considered to be Commonwealth records subject to the *Archives Act 1983*. This means that the Archives' permission is required for their destruction or other disposal. Exceptions to this are where the destruction or disposal is required by any law, or is in accordance with a normal administrative practice, other than a practice of a Department or authority of which the Archives has notified the Department or authority that it disapproves. See Section 24 of the Archives Act.

Some recent definitions view a record as a logical construct that can be transferred from one form or medium or system to another. This approach shifts the emphasis from records as physical documents or objects to preserving the content, structure, context and authenticity of recorded information over time, particularly where the recording technologies used are unstable or difficult to maintain. However, the current legal situation is that if two or more forms of the recorded information exist separately, each may be considered a separate Commonwealth record. There are material and subjective differences that may require different disposal actions, particularly if the source records have intrinsic value or features that cannot be reproduced or, for example, if the source records were never incorporated into an agency's principal records of a given matter.

Electronic Transactions Act

Subsection 12(2) of the *Electronic Transactions Act 1999* provides that an electronic version of a document can satisfy a requirement under a Commonwealth law to retain, for a particular period, a document that is in the form of paper, an article or other material. This is subject to a number of integrity, accessibility and useability requirements being met.

According to the Australian Government Solicitor, the Electronic Transactions Act does not authorise an agency to destroy a document in the form of paper, an article or other material if it holds an electronic form of that document. The general prohibition on the disposal of all Commonwealth records under subsection 24(1) of the Archives Act still

applies, and destruction or other disposal may only take place in accordance with subsection 24(2) of the Archives Act.¹

Background

When authorising disposal in accordance with the Archives Act, the Archives usually describes classes of records in a technology-neutral way, so as to cover all creation formats and both copies and originals. Within such classes records may exist in different forms and as copies and originals. If there is cause to apply different retention periods to these records because of their form or status this needs to be reflected in the disposal authorisation. A common example is if an agency that has imaged paper-based records applies to dispose of the source records earlier than the authorised retention period for the class. If the Archives agrees, it needs to provide appropriate disposal authorisation to prevent a breach of the Archives Act.

Since 1995, *GDA No. 22 for Records of Short Term Value That Have Been Copied* has provided a general permission from the Archives for the early destruction, after copying, of records with retention periods of 30 years or less from their creation date. Requests from Commonwealth agencies for permission to dispose of other categories of source records after copying, conversion or migration have been dealt with on a case-by-case basis.

As more agencies are keeping their records electronically and are converting their non-digital records to electronic form, the consequent increase in the authorisation workload both for agencies and the Archives poses a significant challenge. Moreover, the need for agencies to retain source records until their requests for disposal permission have been decided means that agencies have to bear the expense of operating parallel systems for different forms of what is basically the same recorded information. This is in addition to any backup versions needed for contingency purposes. If an equivalent form of the source record is used in the normal course of business, which satisfies all requirements under relevant legislation, the retention of source records any longer than necessary may be seen as inefficient and a waste of public resources.

The Archives recognises these points and has decided to devolve to agencies greater responsibility for determining whether or not it is appropriate to destroy source records after they have been copied, converted or migrated successfully. This GDA, which replaces GDA 22, broadens the scope of source records that may be destroyed without seeking specific permission from the Archives. It reflects the policies that the Archives would apply internally when determining specific requests for disposal permission in these matters.

Purpose

The GDA has two main purposes:

- to permit the destruction of source records that are no longer needed once they have been copied, converted or migrated; and
- to set conditions for the proper management of copying, conversion and migration processes, the reproductions that are generated through those processes and the source records themselves.

¹ Advice provided to the Archives by the Australian Government Solicitor on the subject 'Relationship between *Archives Act 1983* and the *Electronic Transactions Act 1999*', 5 August 2002.

When the source records are destroyed (if not before, in some cases) the reproductions become the principal official records of the issues they record. Therefore, it is essential to ensure that they have the authenticity, integrity, reliability and useability necessary to substitute for the source records. Some of the reproductions may need to be retained for a long time, or in some cases indefinitely, as national archives.

It is important to note that the GDA is not a *direction* to destroy any records. The Archives does not support the early destruction of source records unless the reproductions are functionally equivalent for all reasonable legal and business purposes.

Scope of agency coverage

The GDA applies to all Commonwealth agencies upon issue. However, it should only be implemented in a particular agency with the explicit agreement of the agency head, once it has been adopted as agency policy.

The Archives may withdraw permission from any agency found to be not complying with the terms of the authority.

Should the function of records management or its equivalent be outsourced, then agency policy on the use of the GDA may include the extension of permission to implement the GDA to the contracted party ('authorised agent').

Scope of application to processes, media and systems

As was the case with GDA 22, this GDA applies to source records in any form, including paper, microfilm or electronic. There are no specific limitations on the choice of record format or media to which the source records may be copied, converted or migrated. However, it is expected that agencies will select technologies that provide adequate levels of durability, reliability and convenience as well as the capacity for further copying, conversion or migration of the reproductions.

Managing any record requires taking into account the characteristics of the technologies that have been used to create and store it:

- different media will deteriorate at different rates under different conditions;
- recording devices, software and hardware may become obsolete after a short time;
- digital-processing treatments such as compression and decompression may result in some information loss each time the treatment is performed.

Therefore, the choice of storage media and systems for making and retrieving records should be considered very carefully.

Generally, the more stable the medium, the lower the maintenance required. However, the durability and maintenance requirements of a given medium or system may be offset by other features such as security, accessibility and ease of subsequent copying. Records on stable media such as paper and microfilm are relatively easy to preserve compared with those in electronic formats.

Further information

For further information about the characteristics of different storage media, formats and systems and their implications for keeping records see:

National Archives of Australia, *Standard for the Physical Storage of Commonwealth Records*, 2001 (available at www.naa.gov.au/recordkeeping/storage/standard.html).

National Library of Australia, *PADI: Preserving Access to Digital Information* (available at www.nla.gov.au/padi/).

State Records New South Wales, Guideline No. 14, *Future Proof: Ensuring the accessibility of equipment/technology dependent records*, April 2002. This guideline also contains a useful bibliography.

Council on Library and Information Resources, *The Evidence in Hand: Report of the Task Force on the Artifact in Library Collections*, November 2001 (available at www.clir.org/pubs/reports/pub103/contents.html).

Charles M Dollar, *Authentic Electronic Records: Strategies for Long-term Access*, Cohasset Associates, Chicago, 1999.

Limits to use

There are several exclusions to the general permission to destroy source records. The permission is also subject to a number of conditions. Some of the conditions are ongoing and apply to the future maintenance of the reproductions long after the source records have been destroyed. It is important that the exclusions and conditions are understood in order for agencies to ascertain whether they can use the GDA and comply with it.

If agencies have source records that they think ought to be destroyed after copying, conversion or migration, but find that they cannot comply with the terms of the GDA, specific permission must be sought from the Archives.

Records covered by the GDA

Subject to the exclusions and conditions, the GDA covers several categories of source record. It applies to source records created before and after 1 July 2002 differently. This date has been chosen because of the Archives' concerns over the quality of past copying programs and its desire to remain closely involved in the determination of certain cases involving existing records.

Records created from 1 July 2002

The GDA applies to source records of any disposal status created from 1 July 2002. This includes source records of temporary value, of archival value, unappraised records, and records with no other disposal authority coverage.

Records created before 1 July 2002

The GDA enables the disposal of:

- source records that are classified as temporary under other current disposal authorities issued by the Archives, regardless of the length of the retention period. 'Temporary' refers to records that are covered by a class in an active (ie current) National Archives disposal authority that stipulates that records may be destroyed either now, after a minimum retention period, or once certain requirements have been met. In the context of this GDA, the disposal authority would be a records disposal authority or a general disposal authority other than this GDA;
- source records of any disposal status that have never been the principal form of the record that the agency has used and relied on in the normal course of business and which have been retained only because there has been no applicable disposal authority to permit their early destruction after copying, conversion or migration.

For example, agencies may have routinely scanned or copied documents into a recordkeeping system on receipt and used the copies as the principal records. Original versions of email messages and other electronic documents systematically copied (or captured) into official recordkeeping systems would also be covered; and/or

- records that cannot have their authenticity, integrity, or useability protected by keeping them as originals, or that are at high risk of unplanned loss or alteration because of the inherently unstable nature of the media or technological platform used to record them. In such cases, the sooner the essential information is copied, converted or migrated to a more stable and secure platform, the better.

Records not covered by the GDA

The GDA does not cover source records created before 1 July 2002 that have been, at some point, the principal form of the record that the agency has used and relied on in the normal course of business, and that are either unappraised or included in an Archives-approved disposal authority for permanent retention or retention as national archives. Specific permission must be sought from the Archives for the early destruction or other disposal of records in this category. Note, however, that there is an exception to this category, namely records that are at high risk of unplanned loss or alteration. See 'Records covered by the GDA', above.

In addition, the GDA does not enable the disposal of:

- *encrypted records* created as a by-product of online authentication and security technologies, such as Public Key Infrastructure. For further information, including guidance on the recordkeeping implications of online security processes, please contact the Archives.
- *computer backup tapes* that duplicate an agency's electronic business transactions on a daily basis as part of a routine IT systems process or risk management program. These backups are generally of short-term, facilitative value and are often destroyed as a normal administrative practice.
- *transcribed records* – source records whose content may be transferred to, and presented in, a different documentary form (eg a recording of spoken voice transcribed into written form), or whose content has been interpreted or processed (eg field notes used as the basis for a report), translated from one language to another (eg English to French), transliterated, encoded or decoded to produce a variant form of the information. Transcription in these senses is not analogous with copying, converting or migrating as defined within the scope of the GDA.

Relationship with other disposal authorities

Records disposal authorities and general disposal authorities

This GDA should be used in conjunction with other GDAs and records disposal authorities (RDAs).

This GDA authorises the destruction of one form of a record, provided another form is kept in its place. Therefore, this GDA does not authorise agencies to destroy all forms of a record relating to a particular Commonwealth business or administrative activity. If an agency seeks to destroy all forms of record relating to a particular Commonwealth business or administrative activity, it must have disposal permission (ie from another GDA or RDA).

If there is a disposal authority requiring the retention of records in a particular form or medium (for example, their original form), that authority takes precedence over this GDA.

Further information

For information about obtaining disposal authorisation see the *DIRKS Manual*, Appendix 8 – Procedures for developing a records disposal authority in the Commonwealth (available at www.naa.gov.au/recordkeeping/dirks/dirksman/contents.html).

Disposal freezes

The GDA may be applied to source records that are subject to a disposal freeze, unless the terms of the disposal freeze specifically say that the GDA does not apply.

Normal administrative practice

The GDA itself does not limit the operation of any normal administrative practice of any agency. However, the GDA includes formal approval of a number of common practices. For example, it enables the destruction, after copying, of records originally on highly unstable media, such as thermal fax paper.

Review

The Archives intends to review the application and use of this GDA within three years of the date of issue.

2 EXPLANATORY NOTES

Glossary

Copying – the production of an identical copy within the same type of medium (paper/microfilm/electronic), eg from paper to paper, microfilm to microfilm or the production of backup copies of electronic records (which can also be made on a different kind of electronic medium).²

Conversion – the process of changing records from one medium to another or from one format to another.³ Conversion involves a change of the format of the record but ensures that the record retains the identical primary information (content). Examples include microfilming or digital imaging of paper records, and change of character sets.⁴

Functional equivalence – where one form of a document is useable in the same circumstances and for the same purposes as another form of that document. For a reproduction to be considered functionally equivalent to the source record from which it derives, the reproduction must possess the same or a sufficient level of status and recognition to satisfy the purposes, requirements and expectations that were associated with the source record, particularly regulatory and business requirements.

Migration – the act of moving records from one system to another, while maintaining the records' authenticity, integrity, reliability and useability. Migration involves a set of organised tasks designed to periodically transfer digital material from one hardware/software configuration to another, or from one generation of technology to another. The purpose of migration is to preserve the integrity of the records and to retain the ability for clients to retrieve, display and otherwise use them. Migration may occur when hardware and/or software becomes obsolete or may be used to move electronic records from one file format to another.⁵

Principal form of a record – a record that is, or was, usually referred to or used in the normal course of business, or regarded as the most authoritative record of the matters documented. Original records that were part of an official recordkeeping system prior to copying, conversion or migration would generally be the principal records. In contrast, if paper documents are routinely scanned on receipt, or if emails are captured into a recordkeeping system on receipt, the principal form of the records used in the course of business might not be the one initially received. In some cases, both a source record and a reproduction of it may qualify as principal forms of the record if they have each taken part in business transactions of the agency.

Recordkeeping system – an information system that captures, manages and provides access to records through time.⁶

Reproduction – the output of a copying, conversion or migration process, ie the copy, converted, migrated or reformatted version of the source record.

Source record – a document or record that has been copied, converted or migrated or will be the input for such a process. A source record may be an original record or it

² Australian Standard AS ISO 15489, Records Management – Part 2: Guidelines, Clause 4.3.9.2.

³ AS ISO 15489, Part 1: General, Clause 3.7; Part 2: Guidelines, Clause 4.3.9.2.

⁴ AS ISO 15489, Part 2: Guidelines, Clause 4.3.9.2.

⁵ AS ISO 15489, Part 1: General, Clause 3.13; Part 2: Guidelines, Clause 4.3.9.2.

⁶ Equivalent to records system AS ISO 15489, Part 1: General, Clause 3.17.

may be a reproduction that was generated by an earlier copying, conversion or migration process.

The above definitions of copying, conversion and migration are quite narrow compared with current general usage. They limit 'copying' to processes involving the same format. And they restrict 'migration' to digital material, and imply that 'conversion' and 'migration' do not involve copying in the more general sense. In the Commonwealth jurisdiction, some of these terms are used almost interchangeably. For instance, 'copying' is often used in a more general sense to refer to any kind of copying, conversion, migration or reformatting. Also, existing laws that touch on reproduction processes may not distinguish between them, and often use terms and descriptions that were current when they were enacted. Agencies should therefore interpret this GDA according to the definitions above, rather than to definitions in general usage.

Exclusions

There are several exclusion categories within the scope of coverage of the GDA. They relate to factors that are external to the quality of copying, conversion or migration processes.

Specific permission must be sought from the Archives for the early destruction or other disposal of source records in the following exclusion categories.

Legal requirements

The GDA cannot be used to justify the destruction of source records where there is a current legal requirement to retain the records in that particular form. Note that the *Electronic Transactions Act 1999* has altered the way in which retention requirements relating to the form of certain records can be met. However, this does not remove the obligation to obtain the Archives permission for disposal of Commonwealth records under the Archives Act. See 'Electronic Transactions Act', in Part 1.

Judicial proceedings

The GDA cannot be used to justify the destruction of source records that are required, or likely to be required, for judicial proceedings, government inquiries or investigations. This exclusion also extends to source records that are the subject of a current application for access under the Freedom of Information Act, the Archives Act, or other relevant legislation. While equivalent reproductions may be perfectly acceptable for the conduct of these proceedings, the destruction of any relevant records at or around the times concerned can lead to claims of impropriety. Specific authority for early destruction of source records will be necessary in such cases.

Government policies or directions

The GDA cannot be used to justify the destruction of source records if there is a government policy or directive not to destroy them. This should be interpreted as a current policy or directive issued at Cabinet or ministerial level. The Archives is not prepared to permit, by means of the GDA, the destruction of records whose retention the government expressly requires.

Archives disposal authorities that are form-specific

This GDA cannot be used to override another disposal authority that specifies the retention of records in a particular form or medium (for example, their original form).

The reference to form may be a general statement that applies to many disposal classes, or it may relate to a particular class.

If there is no other disposal authority pertaining to the records, agencies should check whether there are any legal, regulatory or business requirements that would necessitate retention in a particular form. Note that agencies wanting to destroy source records created before 1 July 2002 that have been the principal form of the record, and which are either unappraised or covered by a disposal authority specifying permanent retention or retention as national archives, will need to seek permission from the Archives.

Disposal freezes that overrule the GDA

This GDA does not apply to source records that are subject to a disposal freeze if the terms of the disposal freeze state that this GDA cannot be used in relation to those records. However, the GDA can be applied to source records that are subject to a disposal freeze if there is no relevant statement to the contrary, or the terms of the disposal freeze state that the GDA may be used in relation to those records.

Records on loan

The GDA does not apply to records that are on loan to agencies from the custody of the National Archives. Copying or conversion may be undertaken, but the Archives requires loaned records to be returned in the same form and condition unless otherwise agreed.

Reproduction for convenience of reference

The GDA cannot be used to justify the destruction of source records if the reproductions were generated for the sole purpose of convenience of reference. The GDA is intended to apply only where the reproductions were made and kept as official records, since copies made for convenience are not necessarily made to high standards. Reproductions in such cases may be able to be destroyed as a normal administrative practice, provided the source records are retained for the required retention period.

Conditions

Application

Only the current controlling agency for the source records – or an authorised agent of the agency – is entitled to apply the GDA, and then only to records that the agency or its predecessors have copied, converted or migrated for administrative or preservation purposes. This limitation is to help ensure that the copying, conversion or migration is conducted within a business setting and that the reproductions can be regarded as business records of the agency to the same extent as the source records. This may be important for evidence purposes in legal proceedings.

Where more than one agency currently controls the source records, the agency with custody of the source records should obtain the consent of the other agencies before destroying the records.

This GDA is not intended to allow the destruction of a record by one agency on the grounds that another agency has a copy of it in its recordkeeping system.

Reproduction standards

Another condition of the authorisation of early destruction of source records is that the output from the copying, conversion or migration process is an adequate reproduction or representation.

First, agencies should ensure that all reproductions intended to replace source records have the degree of authenticity, integrity, reliability, and useability necessary to meet the identified purposes of the source records. The reproductions should be functionally equivalent to the source records. To this end, agencies need to actively consider the current and likely future purposes of the source records. And they need to ensure that the reproductions can serve the same purpose.⁷

Second, agencies should ensure that the reproductions are complete and accurate in terms of content. All relevant information in the source record should appear in the reproduction, in as accurate a form as possible. In practice, there will often be a trade-off between the accuracy and quality of the reproductions and the costs of processing. However, accuracy and quality must not be compromised to the extent that the reproductions lack functional equivalence with the source records.

Third, agencies should ensure that the reproductions can be taken to be true copies. This does not mean certifying them all as true copies, although some agencies may take this approach if their risk of litigation is high or there is a business need to do so. However, should the reproductions (as official records) ever be needed for legal proceedings, it may be necessary to certify that they are true copies, or assert that the devices or processes used to produce them routinely produced accurate, reliable records.⁸ In such cases, it is important to have good documentation of the copy, conversion or migration process.

Certifying the reproductions as true copies, possibly in a statutory declaration, is a well-known way of vouching for authenticity, particularly of individual documents. However, in some situations, the volume and nature of the reproductions may mean that individual certification is impractical or unnecessary. In such cases the circumstances of the reproduction process should be documented. For example:

- who was authorised to do the reproduction
- when the reproduction process occurred
- the equipment and processes used
- the policies and procedures followed
- quality control measures
- test results.

The general rule is that the greater the risk that you will need to rely on the reproductions in court or in business transactions, the greater the need to make and keep documentation that attests to their accuracy and authenticity.

Subsequent to copying, conversion or migration, it is best practice to maintain and routinely test the systems in which the reproductions are kept, and to retain

⁷ The terms authenticity, integrity, reliability, and useability are used as defined in AS ISO 15489 – Part 1: General, Clause 7.2.

⁸ AS ISO 15489, Part 2: Guidelines, Clause 5.3.

documentation of the maintenance procedures and test results. Such documentation will assist in demonstrating that the reproductions have retained their authenticity.

Managing the process of copying, conversion or migration

Several conditions in the GDA are concerned with how agencies manage copying, conversion and migration processes. Agencies should ensure that records they intend to be copy, convert or migrate are not missed, that quality control measures are applied and that documentation about the process is kept. The conditions are expressed in a general way to provide agencies with a degree of flexibility in how they meet the conditions.

Agencies' copying, conversion and migration programs must be viable and appropriate to the circumstances. This section is mainly concerned with technical issues. But financial considerations are also relevant. For example:

- are there sufficient funds to complete the processes?
- will maintaining the reproductions ultimately be more efficient and economical than maintaining the source records?

See 'Cost-benefit, feasibility and risk analysis', in Part 3, for more detail on financial considerations.

The copying, conversion or migration process selected must be suitable for the nature of the records to be processed. For example:

- if colour coding of information in the source record is essential for interpreting and correctly understanding that information, the process must reproduce colour;
- if compression techniques are used, they must cause minimal loss and distortion;
- some hard-copy documents may have seals, watermarks or other features that cannot be reproduced adequately – if such features are essential for business or legal purposes, policies and procedures should be developed to identify and retain the source records concerned.

Procedures and controls should be in place to ensure that all of the material that an agency intends to copy, convert or migrate is processed, and that batches of records or portions of individual records are not inadvertently missed.

There should be little or no damage to the source records during processing. Alterations to the source records could compromise the ability to confirm the accuracy and completeness of the reproductions. The source records must be retained long enough for verification to be done.

Quality control and verification procedures must be in place and applied. The type and intensity of these procedures will vary according to the nature of the copying, conversion or migration process and the importance of the records concerned. The procedures may be manual, automated, or a combination. The quality and verification procedures should be documented and assigned to responsible staff to carry out or oversee. The results of tests and audits should be documented.

If errors and defects are detected in the reproductions as a result of the processing, these errors and defects need to be corrected. This may involve reprocessing the records concerned. It is always advisable to involve the people who used the source records for business purposes, to check that there has been no corruption or loss of information during the process. If errors go undetected, and the source records are no

longer available, it is the business areas that will have to take the time to reconstruct the information, if that is feasible, or devise procedures to compensate for unreliable information.

Where the copying, conversion, or migration process introduces new information, for example, for identification and dating purposes or to explain differences from the source record, it is important that this information be distinguishable from the information from the source record itself. The types of additions and variations allowed should at least be stated and described in procedures, and if practical, identified where they occur in the reproductions or associated metadata.

Documentation of the performance of devices and processes used to generate the output records can support the evidential weight given to those records, providing that performance is satisfactory. This also applies to the systems used to maintain records. Documentation of the skill levels and training supplied to the personnel conducting the processes or operating the systems may also assist.

The Archives expects agencies to keep documentation that identifies or describes which source records have been copied, converted or migrated. The purpose of this documentation is to assist in the authentication of the reproductions. The nature and detail of the documentation is for agencies to determine. Such documentation may consist of metadata at item, file or series level as appropriate, and/or statements in agency policies and procedures that define the categories of records approved for, or normally subject to, copying.

Further information

National Archives of Australia, *Recordkeeping Metadata Standard for Commonwealth Agencies* (available at www.naa.gov.au/recordkeeping/control/rkms/summary.htm).

Maintenance of reproductions as official records

Under this GDA, reproductions are deemed to be official records. As such, they should be managed to the standards that apply to any Commonwealth record. In other words, they should be kept in accordance with relevant recordkeeping standards and guidelines promulgated by the Archives for Commonwealth use.

It is a condition of the GDA that source records be retained unless the agency can ensure that the reproductions will be maintained for as long as required by any current disposal authority applying to the source records. (Source records should not be destroyed early if they come within an exclusion category.)

Further copying, conversion or migration may be necessary to keep the information contained in the records accessible over long periods, particularly for digital records. Agencies need to be particularly alert to the risks of information loss in subsequent copying, conversion and migration processes, and take steps to prevent or minimise it.

The GDA also applies to reproductions that become 'source records' for subsequent copying, conversion or migration processes.

Note that some source records eligible for destruction under this GDA may be unappraised. It is important to be aware that before the reproductions retained in place of such source records can be destroyed, they will need to be appraised and sentenced under an appropriate disposal authority.

Reproductions must be captured into a recordkeeping system before the destruction of the source records. This is to ensure that the reproductions are subject to adequate

records management processes and controls, and that there is no gap in continuity that may compromise the authenticity of the reproductions. It is incumbent on agencies to see that the systems into which they put the reproductions can maintain the essential characteristics of records and provide for adequate registration, indexing, classification, and access. It is most important that, where relevant, the reproductions are given the same caveats, security classifications, labels and tags as applied to the source records.

Considering management requirements before copying, converting or migrating will help to ensure that there is no unintended reduction in control and flexibility compared with that available for the source records.

Reproductions generated before current standards and guidelines came into effect should be managed to the current standard, as far as possible. The GDA does not justify the destruction of source records where there are reasonable concerns about the manner in which the reproductions were made and managed.

Finally, it is important that any security or backup copies are well controlled and documented so that they can be relied on if required.

Further information

Comprehensive advice about the characteristics, design and assessment of recordkeeping systems is provided in *DIRKS: A Strategic Approach to Managing Business Information* (available at www.naa.gov.au/recordkeeping/dirks/dirksman/contents.html).

Access to reproductions

Several conditions of the GDA are designed to help protect legitimate access to records, and to prohibit illegitimate access or tampering.

It is essential that the reproductions can be used to satisfy rights or entitlements of access to the information contained in the source records. When planning how the reproductions will be produced and kept, agencies should consider how to provide access to records that are open for release, yet restrict access to records whose release would be inappropriate. Providing access to a copy of part or all of the reproduction may be appropriate in many cases.

It may be possible to design the copying, conversion or migration process to achieve more efficient, and more precise control over, access to the information in particular records than was the case with the source records. As a minimum, agencies need to ensure that their copying, conversion or migration processes do not reduce a person's ability to obtain legitimate access to records.

Agencies also need to ensure, if they provide any direct access to reproductions, that there are mechanisms in place to prevent and detect any unauthorised alteration, deletion or annotation. Under some legislation, for example the *Freedom of Information Act 1982*, controlled alterations or annotations to certain records may be permitted or even ordered by a court or tribunal. A small window of opportunity for authorised updating may have to be available in such cases.

There might be no absolute protection against unauthorised tampering and use of records. If a particular component of the recordkeeping system, such as the application software, does not offer adequate protection, measures need to be increased in other parts to compensate. For example, agencies might develop policies on who is granted add or modify rights, and what they are or are not permitted to do.

In the majority of cases, people use and accept records as authentic and reliable without question, unless there is some obvious sign or reason to suspect that something is amiss, or there is an advantage to be gained by making a challenge. The presumption is that because a business relies on its records, it has a vested interest in keeping them well. But if an incident occurs that questions or challenges the authenticity of records, and there have been no controls in place to protect authenticity, it can be difficult to convince people to trust the records or the information they contain. The challenge may have targeted particular records, but its effect may be to cast doubt on all of the records in the same system.

All sources of risks to records in their host system should be assessed. Procedures should then be established to prevent risk events, to detect them when they occur, and to check that the records have not been compromised.

The *Australian Standard for Records Management*, AS ISO 15489 identifies a number of strategies for maintaining the integrity of accessible records, including:

- ensure that creators are authorised and identified
- implement policies and procedures that specify what additions or alterations may be made to a record after it is created, under what circumstances additions or annotations may be authorised, and who is authorised to make them
- keep audit trails
- monitor access and verify users.⁹

In addition, Section E of *DIRKS – A Strategic Approach to Managing Business Information*, identifies a number of strategies and tactics for preventing unauthorised additions, alterations or deletions.

Under the Archives Act, age is a factor in determining whether records are publicly accessible. It is appropriate that the date a source record came into existence is used for this purpose rather than the date the reproduction was made, which may be much later. The Archives has specified that for determining access to the first and subsequent generations of reproductions, the dates that would have applied to the original source records shall be used. As far as possible, agencies should ensure that the date that a source record came into existence is readily traceable, either in the original content, an authorised annotation, associated metadata, or control records.

Electronic systems and reporting

Designing systems with good recordkeeping functionality is a challenge. In addition, the records kept in electronic systems are exposed to risks from media deterioration, software and hardware obsolescence, upgrades that do not take continuing functionality into account, unauthorised access, and high maintenance costs.

Agencies must ensure that they have appropriate systems and strategies in place to maintain the records in an accessible condition for as long as necessary. This requirement applies to corporate systems managed by professional data administrators as well as to small or ad hoc situations where source records have been converted to electronic form.

Because electronic records, in particular, need to be managed carefully and proactively, the Archives has included a reporting requirement as one of the conditions of using the

⁹ AS ISO 15489, Part 1: General, Clauses 7.2.2, 7.2.4, 8.2.2 and 8.3.6.

disposal authority. The reporting requirement, which stems from Regulation No. 3 of the Archives Act, provides for agencies, upon request, to supply information to the Archives about their recordkeeping systems and strategies for maintaining electronic records in an accessible condition for the necessary duration. This information helps the Archives to assess the likelihood that required records will be preserved. The Archives may also seek full and free access to the records in agency custody, in accordance with Section 28 of the Archives Act.

The Archives has identified a number of points about which it may seek information:

- the type of system and equipment used
- storage media and environmental conditions
- backup arrangements
- strategies for migration to new platforms
- measures to prevent unauthorised or accidental alteration
- measures to preserve record context, meaning and accessibility
- any other factors relevant to the future upkeep of the records.

The Archives' intention is that agencies themselves should continuously monitor the range of risks to their electronic records and keep up-to-date management information as a part of good recordkeeping and data administration. A request from the Archives, for example, should not cause an agency to consider these issues for the first time.

It is a condition of the GDA that agencies advise the Archives as early as possible if, for some reason, they can no longer maintain the systems that support the reproductions. It should not be inferred from this that the Archives would take custodial responsibility for the records. Rather, it is to provide the Archives with an opportunity to assess the situation and consider management strategies with the agencies concerned.

Disposal and management of source records

There are several conditions in the GDA concerning the treatment of the source records after copying, conversion or migration. These deal with preventing unauthorised disposal, managing source records eligible for transfer to the Archives, and documenting destruction of records.

The GDA provides only for the destruction of source records. It does not cover other types of disposal, such as if an agency wants to transfer the custody or ownership of the source records outside the Commonwealth. Agencies contemplating types of disposal other than destruction need to seek specific permission from the Archives unless the disposal is required by law, or is a normal administrative practice of which the Archives has not disapproved. The routine practice of returning non-Commonwealth property to its owner (after making a copy) does not require the Archives' permission.

Where source records are eligible for transfer to the Archives under the Archives custody policy, they should be retained to adequate standards in a recordkeeping system of the agency until the point of transfer. The purpose of this condition is to protect the Archives from receiving disorganised and neglected records because the relevant agency or agencies had no business need for them.

Pending their destruction, source records that are eligible for destruction early after copying, conversion or migration also need appropriate management. There can be no compromise in some areas such as secure storage and access. But in recognition of the changed status of the source records, there is scope for agencies to tailor control, arrangement and indexing practices to suit their needs.

The Archives requires agencies to keep documentation that adequately identifies the types and ranges of records they destroy after copying, conversion or migration. Such documentation may consist of metadata at item, file or series level, depending on the depth of control that is appropriate for the records concerned. Alternatively, statements may be made in records destruction registers to confirm that the destruction of particular records has occurred.

Where copying, conversion and migration processes result in the production of records that are functionally equivalent to the source records, it could be claimed that no records are being destroyed in the elimination of source records. Such a claim is based on the idea that the essential content, structure, context and authenticity of the source records continues to exist in a new form. However legitimate, such a claim does not remove the obligation to account properly for Commonwealth records. Agencies should know which records they have, whether there are multiple copies or forms of them, and if so, which ones are the principal records. Recordkeeping metadata can help to ensure that reproductions are linked to information about their copying, conversion or migration history, and to the disposal history of the source records.

When it is applied, this GDA should be cited in the metadata or control records as the relevant disposal authority for the early destruction of source records. Where practical, references to other disposal authority classes that apply to the source records should be maintained in the metadata or control records.

The same disposal authority classes and retention requirements that applied to the source records will apply to the reproductions. Any references in the source record metadata or control records to disposal authority classes and retention requirements must therefore be transferred to the metadata or control records of the reproductions. In this way, agencies can ensure that minimum retention periods are known and observed.

Agencies undertaking projects to copy, convert or migrate established series should consider delaying the destruction of any source records (where permitted) until after the successful completion of the whole project. Sometimes there are unforeseen circumstances that cause a project to cease prematurely. In this event, the agency is in a difficult position. It must now support multiple platforms for its records, when reverting completely to using the source records might have been the most efficient and economical solution. Agencies must make their own decisions about the timing of destruction, after considering the risks involved. Please note that incomplete copying, conversion or migration can affect other agencies (if functions are transferred as a result of administrative change), or the Archives (if the records are eligible for transfer to the Archives).

Agencies are required to contact the Archives if they consider that source records eligible for destruction under this authority are worth keeping because they possess a high level of social or historical significance or utility. The Archives will assess the intrinsic values of these records and where justified, will issue a specific disposal authority for retention of the source records.

Agencies may make and use acceptable reproductions as official records, and opt not to destroy the source records early, even though the GDA or another disposal authority provides permission for them to do so. This is a decision for agencies to make. However, subject to the Archives' custody policies, the Archives may decline to accept custody of source records that are eligible for destruction after copying, conversion or migration where it would prefer to take custody of the reproductions. In such cases, the Archives would consider the relative merits of maintaining the source records, the reproductions, or both.

Further information

National Archives of Australia, *Recordkeeping Metadata Standard for Commonwealth Agencies*, available at www.naa.gov.au/recordkeeping/control/rkms/summary.htm).

3 IMPLEMENTING THE DISPOSAL AUTHORITY

Assessing your agency's retention requirements

Agencies are responsible for assessing their need to retain source records for business purposes, to assist in the detection of fraud and to meet their obligations to other corporations and individuals. There will no doubt be some cases where agencies identify a need to keep the source records for the entire retention period.

Cost-benefit, feasibility and risk analysis

Currently available digital technologies are not a proven long-term preservation medium. The Archives strongly recommends that agencies conduct feasibility studies, cost-benefit analyses and risk assessments before committing themselves to major copying, conversion or migration programs or to recordkeeping technologies that necessitate such programs. Depending on the results of such assessments, agencies intending to implement this authority may wish to consider producing additional copies of records in the same form, or a different form, as a contingency measure. For example, if records are being digitised, it may be desirable to generate high quality microfilm versions at the same time.

Being clear about the reasons for undertaking the project of reproducing source records will help you to decide whether or not to proceed. Some questions to ask are as follows.

- What are the objectives of the copying, conversion or migration?
- What are the project, business and compliance risks?
- Is it technically feasible?
- Will it be cost-effective?

In general, the main reasons for copying, converting or migrating records are to:

- improve accessibility to the information contained in the records;
- increase the longevity of the source records by reducing physical handling of them;
- enable better security of the source records;
- ensure that essential information available in the source record continues to be accessible for as long as it needed, eg if the source record cannot be maintained in its present form;
- bring diverse forms of source documents or records into a consistent format and platform to facilitate current business processes; and
- reduce storage costs and/or storage space required.

The reasons for copying, conversion or migration will influence the standards to be met and the choice of suitable processing and storage technologies. These, in turn, have cost and convenience implications. If you expect to rely on the reproductions for legal purposes, the admissibility and evidential weight of the reproductions compared with the source records need to be considered. High standards of certification and system documentation may add to costs.

If your goal is to reduce the cost of storing and maintaining the source records – by destroying them – you will need to obtain the necessary permission from the Archives unless the destruction is already permitted by this GDA or another disposal authority.

Current information technology can improve the accessibility of Commonwealth records. But such advantages bring with them particular management responsibilities, including the need to keep ahead of technological obsolescence to ensure that the reproductions will remain accessible for as long as they are needed.

Investigating the implications of the copying, conversion or migration project involves taking into account the agency's particular circumstances. Some factors to consider when assessing options include:

- volume of records and growth rates – eg will present rates change or stay the same? What are the implications of moving to a new form or system?
- storage capacity in the system and storage costs
- records retention periods – eg if the records (in any form) need be retained only for a short time, is it necessary to copy, convert or migrate them?
- whether or not suitable infrastructure and support already exists, eg IT or business systems and resources
- convenience and practicality – eg will the reproductions be more or less convenient to use than the source records? Can the business users make do with reproductions instead of the source records?
- system response times for users, eg will they be acceptable, better or worse?
- feasibility of processing, eg can accurate, authentic reproductions actually be made using available technology?
- recordkeeping system functionality, eg can an existing recordkeeping system be used for the reproductions that will provide the usual functions of control, indexing, retrieval, access restrictions, disposal and protection from unauthorised updates, or will one have to be obtained or adapted? Will there be better recordkeeping functionality than was available for the source records?
- inherent stability and durability, eg which storage medium best meets the agency's needs and ensures the records will be accessible for as long as they are needed?
- the storage and preservation requirements of the media in which the source records were made – can the agency comply with applicable storage standards and maintenance requirements?
- the scope for further copying, conversion or migration, when necessary, in an efficient and economical manner
- risks from overdependence on proprietary (commercial) products and standards, and associated licensing arrangements
- interoperability with current and proposed business applications
- processing costs, eg for equipment, labour, specifications, meeting appropriate processing standards, control and indexing, quality assurance
- changes in management requirements – eg new and amended procedures, staff training

- the risks of the records being required as evidence in courts or tribunals and the implications of having to rely on reproductions
- ability to comply with legislative requirements affecting records and access, eg would public access be compromised by moving records to a new form or system?
- disposal authorities – are they in place or will they have to be obtained?
- when to destroy the source records, assuming permission is granted, and the costs of arranging destruction
- whether or not *all* the source records can be destroyed after copying, converting or migrating them and, if not, the implications of having to identify and maintain those which need to be retained.

It may help to consider the above factors according to how they apply to the source records (the input) the reproductions (the output) and the processes that would be involved.

Investigating the above sorts of factors will help to assess whether an agency can meet the objectives of the copying, conversion or migration. It may be possible to compare the costs, benefits and risks of a number of different options for the reproductions, and compare those with retaining the source records instead for the full retention period.

Admissibility and weight of evidence

The Evidence Act provides an evidence law for all proceedings in a federal court or an ACT court. Certain provisions of the Act extend beyond proceedings in the above courts. The Evidence Act replaces much of the common law and varying state and territory statute law on evidence. NSW has mirror legislation. There may be some variations in other jurisdictions, but these may not greatly affect matters involving Commonwealth records or Commonwealth documents.

Under the Evidence Act, there should not generally be a problem with admissibility of reproductions, especially those produced in the normal course of business. They are presumed to be identical in all relevant respects unless sufficient evidence is adduced to cast doubt about their authenticity, or about the processes and systems used to generate them. If there is a challenge, the reproductions may not be admitted or may be given little weight if it cannot be demonstrated that the methods used to produce them were reliable.

In most cases there is no need to keep original records purely for evidence in court once the record has been copied or converted to another form or medium. However there are exceptions. The Evidence Act does not overrule special evidentiary provisions in other Commonwealth laws. These other laws remain in force, so there may be legislation that requires agencies to keep the originals of certain records. Agencies are advised to seek legal advice about any laws that may apply to the agency's records, and ensure that original records needed for evidence are kept when required by legislation.

Further information

Commonwealth of Australia, *Records in Evidence – The Impact of the Evidence Act on Commonwealth Recordkeeping*, 1998.

Agencies intending to store records electronically should refer to the British Standards Institute's publication: DISC PD 0008:1999, *Code of Practice for Legal Admissibility and Evidential Weight of Information Stored Electronically*.

Risk of litigation

There are many procedures that agencies can follow to maximise the chance that their records will be admissible and given due weight. However, the degree to which agencies make and keep high quality records – which are relatively expensive – needs to be balanced against the risk of litigation, and the likelihood, if litigation proceeds, that the case will be decided on documentary evidence, as opposed to other forms of evidence.

Agencies investigating the quality requirements of their records might consider the particular risks of litigation requiring Commonwealth records to be tendered as evidence and the likely jurisdictions where litigation would occur. This may include an assessment of whether success will rely on unique information in the originals that cannot be reproduced. Based on advice from the Australian Government Solicitor, the Archives understands that in the majority of cases there will be no forensic disadvantage in relying on copies rather than originals.¹⁰

Detection of fraud

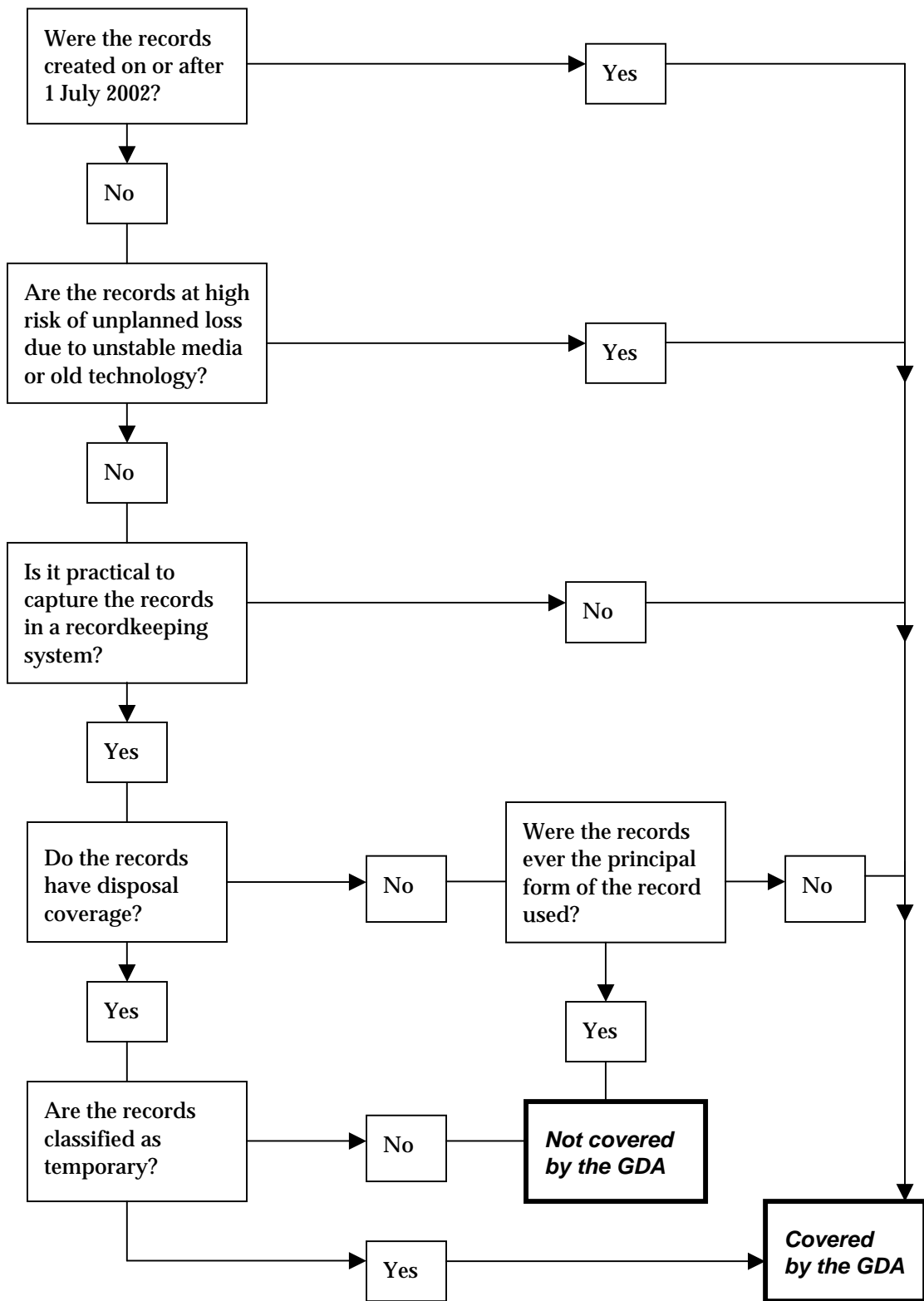
Original records can be useful for the detection of fraud. Some records created by Commonwealth agencies confer financial or other benefits upon individuals; records received by agencies may be the basis upon which a decision to grant a benefit or recognise a right is based; government-issued records may also be used by individuals as a form of identification for other purposes. These sorts of records are an obvious target for fraud.

Signs of forgery detectable in an original record may not be carried over into a reproduction. Comparison with an original record in the possession of an agency may be required to establish the authenticity of a record where fraud is suspected. In these cases the absence of original records may make the investigation of suspected fraud difficult and mean that the agency is unable to easily authenticate the records it holds.

When considering copying, converting or migrating records, agencies should try to identify key records that might be the subject of fraud and which contain signatures, seals, water marks or other features that authenticate a record. Although these may only form a small proportion of records held in most agencies, the ability to produce an original record could substantially affect the interests of an agency or a member of the public. The Archives recommends that agencies obtain legal advice before deciding which records to destroy. For cases where digital signatures are associated with or attached to records, please refer to the Archives for advice and guidance on the recordkeeping implications of online security technologies.

¹⁰ Advice provided to the Archives by the Australian Government Solicitor on the subject 'Safety, Rehabilitation and Compensation Act 1988 – electronic documents', 5 November 1999.

Are your source records covered by the GDA?¹¹



¹¹ Subject to the GDA’s exclusions and conditions.

Checklist

Before destroying source records	Checked
1. Are the source records covered by this GDA?	
2. Is your agency responsible for the source records, and is it agency policy to use the GDA?	
3. Do the source records have additional disposal coverage? Name of disposal authority, and relevant retention/disposal action:	
4. Is there a disposal freeze applicable to the source records that states that this GDA does not apply? Details:	(if so you are not authorised to destroy the source records)
5. Have any current, form-specific retention requirements relating to the records been identified, in either relevant legislation or applicable disposal authorities? Details:	(if so you are not authorised to destroy the source records)
6. Are the records subject to an access request under relevant legislation, is there a government policy or directive not to destroy the records, or are they likely to be required for a legal proceeding or an inquiry? Details:	(if so you are not authorised to destroy the source records)
7. Is there a business need to retain the source records in their original form? Details:	
8. Do the source records appear to have a high level of social or historical significance that may warrant their retention?	(if so you are not authorised to destroy the source records)

Before destroying source records	Checked
9. Have the reproductions, together with applicable metadata elements, been captured into a recordkeeping system?	
10. Do the reproductions have the required degree of authenticity, integrity, reliability and useability necessary to substitute for the source records in business and regulatory applications?	
11. Is there sufficient documentation available to demonstrate that the methods used routinely produce accurate and reliable reproductions? This could include documenting the following.	
Who was authorised to do the reproduction?	
When did the reproduction process occur?	
What equipment and processes were used?	
What policies and procedures were followed?	
What quality control measures were in place?	
What were the results of the testing process?	
12. Are appropriate systems and strategies in place to ensure that the reproductions remain accessible for as long as required?	
13. Have the types and ranges of source records to be destroyed been documented in control records, metadata, agency policies or agency procedures, or arrangements made to do so?	

Please refer to the full *General Disposal Authority for Source Records That Have Been Copied, Converted or Migrated* for detailed advice on the copying, conversion and migration of your source records.

If you cannot comply with the terms of this GDA, please seek further advice from the Archives.

4 GENERAL DISPOSAL AUTHORITY FOR SOURCE RECORDS THAT HAVE BEEN COPIED, CONVERTED OR MIGRATED

Authorisation

GENERAL DISPOSAL AUTHORITY:

Source Records That Have Been Copied, Converted or Migrated

Person to whom notice of authorisation is given:	Heads of Commonwealth institutions under the <i>Archives Act 1983</i> , as listed in National Archives file 2002/2646
Purpose:	Authorises arrangements for the disposal of records in accordance with Section 24(2) (b) of the <i>Archives Act 1983</i>
Application:	The authority permits the early destruction after copying, conversion or migration of source records in certain categories, subject to exclusions and conditions

This authorisation applies to only the disposal of the records described on the Authority in accordance with the disposal action specified. 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.



27 February 2003

Authorising Officer,
National Archives of Australia

Date of issue

Kathryn Dan
Assistant Director-General
Government Recordkeeping

Job Number: 2002/05249910

General Disposal Authority

Source records that have been copied, converted or migrated

Entry	Description of records	Disposal action
5139	<p>Source records in the following categories:</p> <ul style="list-style-type: none"> • records scheduled for temporary retention under current disposal authorities issued by the National Archives of Australia; • records of any disposal status created from 1 July 2002, including those unappraised or not covered by a current disposal authority; • records created before 1 July 2002 that have never been the principal form of the record that the agency has used and relied on in the normal course of business <i>and</i> which have been retained only because there has been no applicable disposal authority permitting early destruction; • records that cannot have their authenticity, integrity, or useability protected by keeping them as originals, and where there is no readily available or practical means of capturing the originals in a recordkeeping system; • records that are at high risk of unplanned loss or alteration because of the inherently unstable nature of the media or technological platform used to record them and, therefore, impossible, impractical or inappropriate to retain as originals for any length of time. 	<p>May be destroyed before their prescribed retention periods (if any) expire without seeking further authorisation, provided adequate reproductions exist and the attached exclusions and conditions are observed.</p>

Note

This authority replaces *GDA No. 22 for Records of Short Term Value That Have Been Copied* in relation to records with retention periods of 30 years or less from their creation date. GDA 22 may no longer be used.

The authority does not validate the unauthorised disposal of records carried out before the date of issue of this authority.

EXCLUSIONS

- 1.1 The authority does not cover the destruction of source records where:
- (a) there is a legal requirement to keep or retain the records in that particular form;
 - (b) they are required, or likely to be required, for a current or pending court action, government inquiry or investigation, or they are the subject of a current application for access under Freedom of Information, Archives or other relevant legislation;
 - (c) there is a government policy or directive not to destroy them;
 - (d) the National Archives has issued a notice that specifically prohibits their disposal in a particular form or medium (for example, their original form) or calls for their retention in that form;
 - (e) they are subject to a disposal freeze which states that this general disposal authority does not apply (this authority may otherwise be applied to records covered by disposal freezes);
 - (f) the reproductions do not meet accepted standards of adequate recordkeeping having been generated for convenience only; or
 - (g) they are on loan to agencies from the custody of the National Archives. The Archives requires loaned records to be returned in the same form and condition unless otherwise agreed.

CONDITIONS

Application

- 1.1 The disposal authority may only be applied by the agency or agencies with current functional responsibility for the records concerned, or their authorised agents.
- 1.2 The disposal authority may only be applied in situations where the agency responsible for the source records, or its functional successors, made the reproductions for administrative or preservation purposes.
- 1.3 The disposal authority may only be implemented in a particular agency with the agreement of the agency head, once it has been adopted as agency policy.
- 1.4 The Archives may withdraw authorisation in cases of non-compliance, if warranted.

Reproduction standards

- 2.1 Agencies must ensure that:
 - (a) all reproductions which are intended to replace source records have the degree of authenticity, integrity, reliability, and useability necessary to meet the identified purposes of the source records;
 - (b) the reproductions are complete and reproduce the information contained in the source records as accurately as possible; and
 - (c) the reproductions can be taken to be true copies.

Managing the process of copying, conversion or migration

- 3.1 Agencies must ensure that:
 - (a) their copying, conversion or migration programs are viable and appropriate to the circumstances, and the process selected must be suitable for the nature of the records to be reproduced; for example, if colour is essential for understanding the source records, the process must reproduce colour;
 - (b) all material intended to be reproduced is captured;
 - (c) there is no or minimal damage to source records during copying, conversion or migration such as would compromise quality verification;
 - (d) adequate quality control and verification procedures are in place and applied;
 - (e) errors and defects in the reproductions are corrected;
 - (f) editorial notes or variations introduced through the copying, conversion or migration process are identified so that it is clear they were not part of the source record;
 - (g) sufficient documentation is kept to demonstrate that the methods used routinely produce accurate and reliable reproductions;
 - (h) documentation is kept which identifies or describes the records that have been copied, converted or migrated. Such documentation may consist of metadata at item, file or series level as appropriate, and/or statements in

agency policies and procedures that define the categories of records approved for, or normally subject to, copying, conversion or migration.

Maintenance of reproductions as official records

4.1 Agencies must ensure that:

- (a) the reproductions are maintained in place of the source records for as long as required by any current disposal authority applying to the source records. (Further copying, conversion or migration is permissible to achieve this: however, where there is no current disposal authority, authorisation must be obtained from the Archives before the latest reproductions are destroyed);
- (b) the reproductions are captured into a recordkeeping system before the destruction of the source records proceeds;
- (c) the reproductions are kept in accordance with relevant recordkeeping standards and guidelines promulgated by the Archives for Commonwealth use. The management of reproductions generated before the introduction of particular standards and guidelines should comply to the extent possible. A reproduction under this GDA is an official record which should be managed to the same standards as apply to any record;
- (c) additional security copies, if produced, are controlled and documented so that they can be relied on in the event that they are needed.

Access to reproductions

5.1 Agencies must ensure that measures are in place to:

- (a) facilitate public access to records in accordance with the Archives Act or other relevant legislation, including measures to restrict access to certain records where necessary; and
- (b) prevent unauthorised alterations or additions to the reproductions, and keep audit trails of changes.

5.2 For determining access to the first and subsequent generations of reproductions, the dates that normally would have applied to the original source records shall be used.

Electronic systems and reporting

6.1 Where the reproductions are to be kept electronically, agencies must ensure that they have appropriate systems and strategies in place to maintain the records in an accessible condition for as long as required.

6.2 Upon written notice, agencies shall, within a timeframe that is reasonable in the circumstances, provide information to the Archives about the recordkeeping systems used, or intended to be used, in relation to the records. This information will be used by the Archives to assure itself that arrangements for maintaining the records are satisfactory. Agencies should be prepared to report on:

- (a) the type of system and equipment used;
- (b) storage media and environmental conditions;

- (c) backup arrangements;
 - (d) migration strategies to new platforms;
 - (e) measures to prevent unauthorised or accidental alteration;
 - (f) measures to preserve record context, meaning and accessibility;
 - (g) any other factors relevant to the future upkeep of the records.
- 6.3 The Archives may seek full and free access to the records in agency custody, in accordance with Archives Act.
- 6.4 The agency will advise the Archives as early as possible if, for some reason, it can no longer maintain the systems that support the records.

Disposal and management of source records

- 7.1 Agencies must ensure that:
- (a) the source records are not disposed of by means other than destruction (for example, transfer outside the Commonwealth) unless such disposal is required by law, authorised by the Archives, or a normal administrative practice of which the Archives does not disapprove;
 - (b) where the source records are eligible for transfer to the Archives, under Archives custody policy, they are kept as they would normally have been kept in a recordkeeping system of the agency, to adequate standards;
 - (c) they keep documentation that adequately identifies the types and ranges of records they destroy after copying, conversion or migration.
- 7.2 Agencies undertaking large-scale projects to copy or convert established series should consider delaying the destruction of the source records until after the successful completion of the whole project. This will provide flexible management options should the project cease part of the way through.
- 7.3 Agencies shall contact the Archives if they consider that source records eligible for destruction under this authority are worth keeping because they possess a high level of social or historical significance or utility.
- 7.4 Subject to the Archives custody policies, the Archives may decline to accept custody of source records that are eligible for destruction after copying, conversion or migration if it would prefer instead to take custody of the reproductions.