

What is the purpose of the authority?

General Records Authority 38 (GRA 38) was issued by the National Archives in October 2018 for use by ministerial offices. It provides authorisation for the most valuable ministerial records to be transferred to the National Archives when no longer required and permits the destruction of temporary records, once they have been kept for the required periods.

Records authorities are legal instruments made under the *Archives Act 1983* which enable decisions to be made about keeping, destroying or transferring Australian Government records.

What records does it apply to?

GRA 38 applies to records kept by, or on behalf of, a Commonwealth minister of state (including prime ministers and parliamentary secretaries) that are considered to be ministerial records.

Ministerial records (in any form including digital) are records created or received in the course of discharging official functions as a minister or made or received by the ministerial office in relation to those duties. A ministerial record is a Commonwealth record subject to the *Archives Act 1983*.

What does it consist of?

The authority consists of three key components:

1. **Introduction and application notes** – provides an overview of the purpose of the authority and describes how it should be used. Definitions of terms used in the authority are also provided.
2. **Core business** – describes the business activities generally undertaken by a ministerial office which result in the creation of records which are covered by this records authority.
 - Cross-references – contains directions to use a different core business or records authority for a specific category of records.
3. **Record classes** – describes the categories of ministerial records covered by the authority and how long they should be kept. The authority has two classes:
 - **62496** – records that, due to their national significance, must be transferred to the National Archives as archival records to be kept for ongoing preservation and access.
 - **62497** – records that can be destroyed after a minimum of 7 years if no longer required or when the minister leaves office.

Examples

– transfer to the National Archives

- Appointment diaries
- Final speeches and media statements
- Daily itinerary papers
- Official briefings
- Portfolio related correspondence
- Subject files on portfolio business
- Official tweets and WhatsApp messages
- Records of deliberations on official business

Examples

– destroy after 7 years or when the minister leaves office

- Official travel arrangements
- Drafts of speeches
- Draft daily itineraries
- General media enquiries

How to use the authority

To determine how long records must be kept, use the following steps:

1. Determine whether the record matches the **core business** as described in the authority. Only records that match the description are covered by the authority.
2. Where the record broadly matches the core business, review **class 62496** to determine if it matches any of the record types listed. Records matching this class must be transferred to the National Archives for ongoing preservation when no longer required for business purposes, or when the minister leaves office.
3. Records that match the core business description but are not covered by class 62496, may be destroyed under **class 62497** when the minimum retention period has been reached.

Note: Where the record does not match the core business description, review the **cross-references** to determine if another **general records authority**, such as AFDA (see below), is appropriate.

If you believe you have identified a record that should be transferred to the National Archives but is not listed in class 62496 please contact the **National Archives' Agency Service Centre**.

Administrative Functions Disposal Authority (AFDA)

GRA 38 should be used in conjunction with the **Administrative Functions Disposal Authority (AFDA)**. AFDA applies to all Commonwealth institutions and sets out retention and destruction requirements for many common administrative records. Examples include office accounts, personnel and procurement records.

Important points to remember

- GRA 38 sets the shortest period of time records need to be kept. Ministers may retain records longer if they wish.
- Regardless of the retention period in the authority, you must not destroy, otherwise dispose of, or alter a record when leaving office, or if you know it is reasonably likely that it may be required as evidence in a current or future judicial proceeding.
- Ministerial records should be appropriately stored, managed and preserved to ensure that they remain authentic and accessible for as long as required.
- National Archives' permission is required to transfer ministerial records to a person or institution other than the Commonwealth or a Commonwealth institution.

Further information

For assistance with using this authority or advice on other information management matters, please refer to the **APH pages** on the **National Archives' website** or contact the **National Archives' Agency Service Centre**.

Personal records, electorate and party political documents are not covered by GRA 38.

Records relating to both ministerial responsibilities and other matters are considered ministerial records.
