

Records
Disposal
Authority
Australian
National Railways
Commission

Transfer of custody and
Ownership of records

Job no 2000/00000464

15 November, 2000



NATIONAL
ARCHIVES
OF AUSTRALIA

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CONTENTS

INTRODUCTION	5
The Appraisal Process	5
Disposal Authorisation	5
Purpose of this Authority	5
Using this Authority	5
Conditions Attached to the Disposal Authority	6
Amendment of this Authority	6
AUTHORISATION	7
CLASSES	9

INTRODUCTION

The appraisal process

The appraisal of Commonwealth records is based on the methodology for Designing and Implementing Recordkeeping Systems (DIRKS) outlined in the Australian Standard AS4390-1996, *Records Management*, Part 1: General, Clause 1.3, and expanded in the DIRKS Manual. It is an analytical process that involves identifying which records should be created, assessing the value of records for future use, identifying those records with enduring value and deciding how soon the remainder can be destroyed or otherwise disposed of.

The process can involve making decisions about the alteration of records, and where records have already been created, the transfer of ownership or custody of these records. It also involves authorising the action arising from the assessment and putting the action into effect by sentencing. The appraisal process provides a framework of accountability for recordkeeping.

Disposal authorisation

Section 24 of the *Archives Act 1983* provides that records are not to be disposed of without the consent of the Archives unless the action of disposal is positively required by law, or takes place in accordance with a normal administrative practice of which the Archives does not disapprove. Advice on the provisions of the Archives Act can be obtained from any National Archives office.

Purpose of this authority

This authority authorises the transfer of custody or ownership, or other disposal, of Commonwealth records as required by the Archives Act.

Using this authority

This authority covers records controlled by the agency and applies only to the records or classes of records described in the authority.

This authority is to be used to determine the custody or ownership of Commonwealth records. This is done by a process known as 'sentencing'. Sentencing involves the examination of records in order to identify the individual disposal class to which they belong. This process enables the sentencing officer to determine the appropriate disposal action for the records. Advice on sentencing can be obtained from your nearest National Archives office.

Records remaining in Commonwealth custody should be sentenced in accordance with the Administrative Functions Disposal Authority issued by the National Archives to cover housekeeping and other records common to most Commonwealth agencies and other specific Records Disposal Authorities issued to the agency. Records selected as national archives should be transferred into the custody of the National Archives. The Archives no longer accepts records which have not been sentenced in accordance with valid records disposal authorities. Commonwealth agencies may withdraw records for official reference purposes through the lending service.

Conditions attached to the disposal authority

In some circumstances, it may be necessary for the relevant Commonwealth agency to enter into contractual arrangements with the body taking custody or ownership of the records to ensure that the ongoing needs of the Commonwealth are protected. The contract may include clauses to:

- recover records at the completion of the contract, or at any other reasonable time
- ensure that the records are appropriately managed and maintained
- protect the security of the records
- ensure compliance with the provisions of the *Privacy Act 1988* as if the custodian was the 'Record Keeper' in accordance with that Act
- prevent unauthorised disclosure of information, in accordance with the provisions of the *Crimes Act 1914* and any legislation relevant to your agency
- provide for reasonable access to the records by the Commonwealth and its authorised agents
- limit the use of the records to legitimate purposes under the terms of the contract

You should seek specific legal advice on these matters.

Amendment of this authority

An amendment of this authority must be approved by the National Archives. Officers using the authority should advise the National Archives of any changes considered desirable.

CONTACT INFORMATION

1. For changes to this RDA contact the Canberra Office of the National Archives of Australia:

Queen Victoria Terrace
Parkes ACT 2600
PO Box 7425
Canberra Mail Centre
ACT 2610

Tel: (02) 6212 3610

Email: recordkeeping@naa.gov.au

Website: www.naa.gov.au

2. For sentencing advice contact your local office of the National Archives. The address and phone number of your local office can be found at the National Archives web-site address above.

RDA Job No 2000/00000464

AUTHORISATION
RECORDS DISPOSAL AUTHORITY

**Person to whom notice of
authorisation is given:**

The Chairman
Aust National Railways Commission
1 Richmond Road
KESWICK SA 5035

Purpose:


AUTHORISES ARRANGEMENTS FOR THE DISPOSAL OF
RECORDS IN ACCORDANCE WITH SECTION 24(2)(b) OF
THE ARCHIVES ACT 1983

Application:

Authorises the transfer and ownership of records relating to the
lease of locomotives

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.

Authorising Officer, National Archives of
Australia


Venetia Beale
Director,
Recordkeeping Implementation

Date of Issue 15 November, 2000

Date of Amendment

Expiry Date

LOCOMOTIVES

Leasing

The activities involved in leasing items, equipment, accommodation, premises or real estate from another organisation. Includes the process of chartering.

<i>Entry No</i>	<i>Description of Records</i>	<i>Disposal Action</i>
2226	Leases, agreements and associated correspondence relating to 3 locomotives that have been leased by the Australian National Railways Commission which are needed by the buyer for the continuing lease and operation of the locomotives. 1 January 1993 - 31 October 2000	Transfer ownership to National Rail Corporation Ltd Where the Commonwealth has ongoing liability, access to original and the ability to copy will be required by the Commonwealth for 7 years after the termination of the lease
