

Records
Disposal
Authority

AustDairy Ltd

**Transfer of custody and
ownership of records**

Job no 2003/00246854

18 June 2003



NATIONAL
ARCHIVES
OF AUSTRALIA

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INTRODUCTION

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.

This authority authorises the transfer of custody and ownership of records out of the Commonwealth that are covered by the specified classes and date ranges of those classes. All other records of the agency that fall outside the scope of these classes and date ranges remain Commonwealth records.

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 2003/00246854

AUTHORISATION
RECORDS DISPOSAL AUTHORITY

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

The Secretary
Agriculture, Fisheries and Forestry –
Australia
Edmund Barton Building
Broughton Street
BARTON ACT 2601

Purpose:


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

Application:

Records of AustDiary Ltd as described in the disposal classes in
this authority.

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 18 June 2003

Date of Amendment

Expiry Date

APPLICATION

This records disposal authority has been developed to address the records custody and ownership issues arising from the privatisation of the Australian Dairy Corporation (ADC), which as of 30 June 2003 will amalgamate with the Dairy Research and Development Corporation (DRDC) to form a single privatised entity, Dairy Australia. AustDairy Ltd is the commercial arm of the ADC, which operates as a wholly owned subsidiary. Following the amalgamation and privatisation process AustDairy Ltd will become a wholly owned subsidiary of Dairy Australia.

This disposal authority will authorise the transfer out of the Commonwealth of those records required to meet the ongoing operational needs of AustDairy Ltd.

This authority does not authorise the transfer to Dairy Australia of any records classified as “retain national archives” in the National Archive’s Administrative Functions Disposal Authority (AFDA). All such records will be transferred to the National Archives prior to privatisation, or where that is not possible the records will be forwarded to the portfolio agency, the Department of Agriculture, Fisheries and Forestry of Australia (AFFA), to await transfer to the National Archives.

This authority does not authorise the transfer of records documenting the process of privatisation of the agency and associated issues. These records are potential national archives and must be transferred to AFFA.

Those records not transferred to Dairy Australia will be held by the portfolio agency until such time as they can be disposed of in accordance with an approved records disposal authority.

COMMERCIAL OPERATIONS

Operational activities

AustDairy Ltd

Entry	Description of Records	Disposal Action
5513	<p>Records relating to the commercial operations of AustDairy Ltd in relation to its interest and investments in the operation of dairy organisations in which it has or has had equity. Includes records connected with overseas offices, financial management, administration, shipping, product sales and product supply.</p> <p>Excludes:</p> <ul style="list-style-type: none"> • personnel records for AustDairy Ltd staff, • documentation relating to policies, procedures, reviews and implementation of the Occupational, Health and Safety, Compensation and Human Resource functions (including workers compensation claims), • records relating specifically to the Thai Dairy Industry Co Ltd, and • AustDairy Ltd board minutes and papers and records relating to strategic management policy. <p>(Date Range: 2000 - 2003)</p>	Transfer custody and ownership to Dairy Australia

Thai Dairy Industry Co Ltd

Entry	Description of Records	Disposal Action
5514	<p>Records relating to the Thai Dairy Industry Co Ltd, a subsidiary of AustDairy Ltd. Includes functional records and financial management records required for the ongoing operation of the company.</p> <p>(Date Range: 1991 - 2003)</p>	Transfer custody and ownership to Dairy Australia
