



Records Authority
2016/00684594

**Department of Communications and
the Arts**

Arts and Cultural Heritage Management

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2017



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CONTENTS

INTRODUCTION _____ **4**

APPLICATION OF THIS AUTHORITY _____ **4**

CONTACT INFORMATION _____ **5**

AUTHORISATION _____ **6**

ARTS AND CULTURAL HERITAGE MANAGEMENT _____ **7**

INTRODUCTION

The Department of Communications and the Arts and the National Archives of Australia have developed this records authority to set out the requirements for keeping or destroying records for the core business of Arts and Cultural Heritage Management. It represents a significant commitment on behalf of the Department to understand, create and manage the records of its activities.

This authority is based on the identification and analysis of the business of the Department. It takes into account the agency's legal and organisational information management requirements, and the interests of stakeholders, the agency and the National Archives.

The authority sets out those records that need to be retained as national archives and specifies the minimum length of time that temporary records need to be kept. This authority gives the Department permission under the *Archives Act 1983*, for the destruction of the temporary records described after the minimum retention period has expired. Retention periods for these temporary records are based on: an assessment of business needs; broader organisational accountability requirements; and community expectations, and are approved by the National Archives of Australia on the basis of information provided by the agency.

As changes in circumstances may affect future information management requirements, the periodic review of this authority is recommended. All amendments must be approved by the National Archives.

APPLICATION OF THIS AUTHORITY

1. This authority is to be used to determine how long records must be kept. Records are matched to the relevant core business and records class in the authority.
 - Where the minimum retention period has expired and the records are not needed for agency business they should be destroyed as authorised in this authority.
 - Records that have not reached the minimum retention period must be kept until they do.
 - Records that are identified as retain as national archives (RNA) are to be transferred to the National Archives of Australia for preservation.
2. This authority should be used in conjunction with general records authorities such as:
 - the Administrative Functions Disposal Authority (AFDA) and/or AFDA Express issued by the National Archives to cover business processes and records common to Australian Government agencies; and
 - General Records Authority 31 for source (including original) records that have been copied, converted or migrated.
3. The normal administrative practice (NAP) provision of the *Archives Act 1983* gives agencies permission to destroy certain records without formal authorisation. This usually occurs where records are duplicated, facilitative or for short-term use only. NAP does not replace arrangements agreed to in this Authority but can be used as a tool to assist in identifying records for destruction together with an agency's records authority or authorities, and with AFDA and AFDA Express. The National Archives recommends that agencies develop and implement a NAP policy. Advice and guidance on destroying records as a normal administrative practice and on how to develop an agency NAP policy is available from the National Archives' website at www.naa.gov.au.
4. Records that are reasonably likely to be needed as evidence in a current or future judicial proceeding or are subject to a request for access under the *Archives Act 1983*, the *Freedom of Information Act 1982* or any other relevant Act must not be destroyed until the action has been completed.
5. Records subject to a disposal freeze must not be destroyed until the freeze has been lifted. Further information about disposal freezes and whether they affect the application of this authority is available from the National Archives website at www.naa.gov.au.
6. Where the method of recording information changes (for example from a manual system to an electronic system, or when information is migrated from one system to a new system) this authority can still be applied, providing the records document the same core business. The information must be accessible for the period of time prescribed in this authority. The agency will need to maintain continuing access to the information, including digital information, for the periods prescribed in this records authority or until the information is transferred into the custody of the National Archives.

7. In general, retention requirements indicate a minimum period for retention. The Department may extend minimum retention periods if it considers that there is an administrative need to do so, without further reference to the National Archives. Where the Department believes that its accountability will be substantially compromised because a retention period or periods are not adequate, it should contact the National Archives for review of the retention period.
8. Records coming within 'retain as national archives' classes in this Authority have been determined to be part of the archival resources of the Commonwealth under section 3C of the *Archives Act 1983*. The determination of Commonwealth records as archival resources of the Commonwealth obliges agencies to transfer the records to the National Archives when they cease to be current and, in any event, within 15 years of the records coming into existence, under section 27 of the *Archives Act 1983*.
9. Records in the care of agencies should be appropriately stored, managed and preserved. Agencies need to meet this obligation to ensure that the records remain authentic and accessible over time. Under section 31 of the *Archives Act 1983*, access arrangements are required for records that become available for public access including those records that remain in agency custody.
10. Appropriate arrangements should be made with the National Archives when records are to be transferred into custody. The National Archives accepts for transfer only those records designated as national archives. Records created digitally after 1 January 2016 can be transferred in digital formats only.
11. Advice on how to use this authority is available from the Department's information manager. If there are problems with the application of the authority that cannot be resolved, please contact the National Archives.

CONTACT INFORMATION

For assistance with this authority or for advice on other information management matters, please contact the [Agency Service Centre](#).

AUTHORISATION

RECORDS AUTHORITY 2016/00684594

Person to whom notice of authorisation is given:

Dr Heather Smith
Secretary
Department of Communications and the Arts
GPO Box 2154
Canberra ACT 2601

Purpose:

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

Determines records classed as 'Retain as national archives' in this Records Authority to be part of the archival resources of the Commonwealth under Section 3C of the *Archives Act 1983*.

Application:

All core business records relating to Arts and Cultural Heritage Management.

This authority gives permission for the destruction, retention or transfer to the National Archives of Australia of the records described. This authority will apply only with the consent of the agency currently responsible for the business documented in the records described.

Authorised by

Anne Lyons
Assistant Director-General
National Archives of Australia

Date of issue:

9 May 2017

ARTS AND CULTURAL HERITAGE MANAGEMENT

The core business of developing and administering programs and policies that promote excellence in the preservation and maintenance of, and public access to, Australia's cultural activities and cultural collections. Includes protecting and preserving indigenous languages, promoting and recognising excellence in literary endeavours (such as the Prime Minister's literary awards), supporting lending rights programs and protecting movable cultural heritage.

The **core activities** include:

- developing, implementing and reviewing, policies, programs, schemes, strategies and plans;
- receiving and assessing applications for the movement of national cultural objects;
- receiving and actioning requests for the return of foreign protected objects;
- receiving and assessing applications, submissions and nominations;
- managing the Prime Ministers Literary Awards or other initiatives to promote and recognise literary excellence;
- receiving and assessing donation submissions under the Cultural Gifts Program;
- receiving and assessing applications for entry on the Register of Cultural Organisations;
- receiving and processing claims for recompense under the lending rights programs;
- research and analysis supporting arts and cultural heritage management;
- administration of economic instruments such as tax incentives;
- overseeing the national network to deliver national indigenous art, culture, languages and broadcasting programs;
- collection and management of statistics including related datasets;
- providing and receiving advice and other forms of information;
- liaising and consulting with key stakeholders, including public consultation processes;
- referrals to other Australian Government agencies for the investigation and/or seizure of protected cultural objects; and
- managing appeals and reviews of decisions.

The performance of the core business is supported by **general activities** such as:

- developing operational procedures;
- reporting and reviewing;
- identifying, assessing and managing risks;
- receiving and responding to enquiries;
- preparing and delivering speeches;
- managing and participating in internal and external committees and meetings; and
- managing and participating in conferences.

Cross references to AFDA Express Records Authority

For development of new legislation and amendments to existing legislation, use GOVERNMENT RELATIONS and/or STRATEGIC MANAGEMENT.

For advice, briefs and submissions to the portfolio Minister, Cabinet submissions and the organisation's participation in formal inquiries, use GOVERNMENT RELATIONS.

For media releases, use COMMUNITY RELATIONS and/or GOVERNMENT RELATIONS.

For developing and executing contracts under seal or deeds, use CONTRACTS UNDER SEAL/DEEDS.

ARTS AND CULTURAL HERITAGE MANAGEMENT

Cross references to other records authorities

For purchasing and leasing artworks, currently via Artbank, use - CULTURAL COLLECTIONS.

For the management and payment of grants, use General Records Authority 28 - GRANT MANAGEMENT.

Class no	Description of records	Disposal action
62255	<p>Significant records documenting:</p> <ul style="list-style-type: none"> • high-level policies, programs, strategies, plans, frameworks and assessment criteria. Includes final versions, major drafts, results of stakeholder consultations, and supporting research; • high-level advice. Includes position papers, briefs, opinions, reports and stakeholder submissions; • applications for the protection of movable cultural heritage, includes assessments, recommendations and the issue of export permits and export certificates; • casework relating to the protection of foreign protected movable cultural heritage objects, includes official foreign government requests, assessments, forms and notifications issued under legislation, and referrals to other Australian government agencies; • outcomes of major research and analysis undertaken by the agency. Includes final research reports, research findings, statistical and trend analysis, data models, and research datasets and associated information; • managing initiatives to promote and recognise literary excellence such as the Prime Ministers Literary Awards, including recommendations and decisions about shortlist nominees and winners, awards ceremony ephemera and photographs; <p><i>For administrative arrangements supporting the awards ceremonies (eg venue bookings, catering etc) use class 62258.</i></p> <ul style="list-style-type: none"> • summary records created to support the core business, such as registers (eg. Register of Cultural Organisations) and databases consolidating information on registered cultural organisations, prohibited exports, or statistical returns; • high-level reports, including final versions, major drafts, stakeholder consultation and supporting research; • national and high-level reviews, including sector-wide and major internal reviews of policies, standards, frameworks, strategies and programs. Includes final review, reports, major drafts, recommendations, submissions and supporting research; • high-level internal and external committees, working groups and other bodies where the agency provides the secretariat, is the Australian Government's main representative, or plays a prominent or central role. Includes establishment documentation, agenda, final version of minutes, reports and tabled papers; • final versions of significant agreements and contracts and supporting documents, that: relate to substantial funding arrangements or the establishment of major partnerships and cooperative arrangements with other governments, agencies and organisations; are controversial, of public interest, or ground-breaking in nature; or have substantial implications for the conduct of agency business. Includes memorandums 	Retain as national archives

ARTS AND CULTURAL HERITAGE MANAGEMENT

Class no	Description of records	Disposal action
	of understanding and joint ventures; and <ul style="list-style-type: none">• final versions of speeches presented by the portfolio Minister, the agency head or senior agency staff.	
62256	Records documenting tax deductible donations of cultural property to public collecting institutions including certificates of donation, assessments, valuation certificates and expert advice, for example the Cultural Gifts Program.	Destroy 10 years after action completed
62257	Records documenting the lending rights programs. Includes determination of payment rates, applications for recompense and payment advice.	Destroy 10 years after action completed
62258	Records documenting: <ul style="list-style-type: none">• routine operational administrative tasks supporting the core business; and• arts and cultural heritage management activities, other than those covered in classes 62255 to 62257.	Destroy 7 years after action completed