

State Records Authority of New South Wales

Functional Retention and Disposal Authority: DA116

Approved: 19 June 2002

New South Wales Rural Assistance Authority

This authority covers records documenting the function of *rural finance* including *delivery of programs of financial assistance and farm debt mediation*.

FUNCTIONAL RETENTION AND DISPOSAL AUTHORITY

DA no DA116

SR file no 01/0203

Public office

New South Wales Rural Assistance Authority

Scope

This functional retention and disposal authority covers records documenting the function of *rural finance* including *delivery of programs of financial assistance and farm debt mediation*.

This disposal authority covers records dating from 1920 +.

Authority

This functional retention and disposal authority is issued under Section 21(2)(c) of the *State Records Act 1998*. It has been approved by the Board of the State Records Authority in accordance with Section 21(3) of the *State Records Act 1998*.

Authorised

David Roberts
Director

State Records Authority of New South Wales

19/06/02
Date

How to use the Functional Retention and Disposal Authority

The disposal process

The disposal of State records is a range of processes that includes assessing the value of records for future use, identifying those State records that have continuing value and identifying how soon the remainder can be destroyed or otherwise disposed of. The disposal process can also involve transfer of ownership or custody of records and the alteration of records.

This functional retention and disposal authority is issued under Part 3 (Protection of State Records) section 21 (2)(c) of the *State Records Act 1998 (NSW)*. The Act provides that records are not to be disposed of without the consent of State Records with certain defined exceptions. These exceptions include an action of disposal which is positively required by law, or which takes place in accordance with a normal administrative practice (NAP) of which State Records does not disapprove. Advice on the State Records Act can be obtained from State Records.

Purpose

This functional retention and disposal authority authorises the destruction or other disposal of State records as required by the State Records Act. This authority has been prepared as part of the records disposal program of the agency. Two primary objectives of this program are to ensure that records are kept for as long as they are of value and to enable destruction or other disposal of records once they are no longer of value. State Records decisions take into account both the administrative requirements of the public office in discharging its functional responsibilities and the potential research use of the records by the NSW Government and the public. It is the duty of a public office, in submitting a draft functional retention and disposal authority for approval, to disclose to State Records any information which affects the retention of the records covered by the authority.

Using the authority

This functional retention and disposal authority covers records controlled by the public office and applies only to the records or classes of records described in the authority. The authority is to be used to sentence records. Sentencing is the examination of records in order to identify the disposal class or series 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 State Records.

Where the format of records has been changed this does not prevent the disposal classes or series from being used to sentence records which perform the same function. Where the method of recording the information changes (for example, from a paper-based system to an electronic one), this authority can still be used to sentence records as long as the records document the same function/s. The information must be accessible for the periods prescribed in the classes. Where a record is copied, either onto microform or digitally imaged, the original should not be disposed of without authorisation (see also the *General Disposal Authority – Records of short term value that have been imaged*). Public offices will need to ensure that any software, hardware or documentation required to gain continuing access to technologically dependent records is available for the periods prescribed.

A minimum retention period in the functional retention and disposal authority of more than 25 years does not imply that a *still in use determination* has been approved by State Records (see Part 4, Section 28 of the State Records Act, 1998).

Disposal

Records that have been identified as being required as State archives should be stored in controlled environmental conditions. Control of these records should be transferred to State Records at the end of the nominated retention period.

Records that have been identified as being authorised for destruction may only be destroyed once a public office has ensured that all requirements for retaining the records are met. Retention periods set down in this authority are *minimum* periods only and a public office may keep records for a longer period if necessary. Reasons for longer retention can include legal requirements, administrative need, and government directives. A public office *must not* dispose of any records where the public office is aware of possible legal action where the records may be required as evidence. Once all requirements for retention have been met, destruction of records should be carried out in a secure and environmentally sound way. Relevant details of the destruction should be recorded.

In some cases State Records may withhold authorisation for the disposal of a particular disposal class or series or possibly a whole function or activity. This would be used where records have been identified as having some immediate short term requirements for retention such as pending legal action. These records will need to be re-appraised at the end of a designated period. This re-appraisal process is necessary as the circumstances which instigate the need for the records to be retained for a longer period may also affect the ‘value’ of the records.

Regardless of whether a record has been authorised for destruction or is required as a State archive, a public office or an officer of a public office must not permanently transfer possession or ownership of a State record to any person or organisation without the explicit authorisation of State Records.

Custody

The custody column in the functional retention and disposal authority is designed to assist public offices in identifying storage requirements for records prior to destruction or transfer. The directions in this column are recommendations only and are *not* mandatory. The type of information includes directions on how long records should be retained in the office and how long they should be kept in off-site/ secondary storage. Specific requirements for retention such as legislative requirements or legal directives may also be noted for reference.

Administrative change

This functional retention and disposal authority has been designed to link records to the functions they document rather than to organisational structure. This provides for a stable functional retention and disposal authority that is less affected by administrative change. The movement of specified functions between branches or units within the public office does not require the authority to be resubmitted to State Records for approval. However, when functions move from one public office to another State Records should be notified. The public office that inherits the new function will need the approval of State Records to use any existing functional retention and disposal authority to sentence the records that document the function/s.

Amendment and review of this authority

State Records must approve any amendment to this authority. Public offices that use the authority should advise State Records of any proposed changes or amendments to the authority.

State Records recommends a review of this authority after five years to establish whether its provisions are still appropriate. Either the public office or State Records may propose a review of the authority at any other time, particularly in the case of change of administrative arrangements or procedures which are likely to affect the value of the records covered by this authority.

In all cases the process of review will involve consultation between State Records and the public office. If the process of review reveals that this authority requires amendment, the necessary amendments will be made and authorised.

Contact Information

State Records
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Functional Retention and Disposal Authority

New South Wales Rural Assistance Authority

DA No: DA116

Dates of coverage: 1920+

No	Function/Activity	Description	Disposal Action	Custody*
1.0.0	CORPORATE GOVERNANCE	The activities associated with managing meetings and other business of the Board of the NSW Rural Assistance Authority.		
1.1.0	Board Meetings			
1.1.1		Records documenting meetings of the Board. Includes master copies of agenda, minutes and documents tabled at meetings.	Required as State archives.	
1.1.2		Other copies of agenda, minutes and tabled documents.	Retain until ceases to be of administrative use, then destroy.	
1.1.3		Records relating to the conduct and administration of Board meetings. Includes draft agenda, notice of meeting, draft minutes etc.	Retain for minimum of 2 years after meeting, then destroy.	
1.2.0	Board Committee Meetings			
1.2.1		Records documenting meetings of Board committees, including the State Farm Bis\$ Planning Group. Records include master copies of agenda, minutes and documents tabled at meetings.	Required as State archives.	

* see *How to use the disposal authority*

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1.2.2		Other copies of agenda, minutes and documents tabled at meetings of committees of the Board.	Retain until ceases to be of administrative use, then destroy.	
1.2.3		Records relating to the conduct and administration of Board committee meetings. Includes draft agenda, notice of meeting, draft minutes etc.	Retain for minimum of 2 years after meeting, then destroy.	
1.3.0	Membership of Board and Board Committees			
1.3.1		Registers and other records relating to the terms of office of the members of the Board and its committees. Includes appointments, resignations and declarations of pecuniary interest.	Required as State archives.	
1.3.2		Routine correspondence with individual members of the Board and Board committees. Includes queries relating to membership, payment of fees and allowances and arrangements for travel.	Retain for minimum of 2 years after last action, then destroy.	

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No	Function/Activity	Description	Disposal Action	Custody*
2.0.0	FINANCIAL ASSISTANCE	The function of delivering programs of assistance to farmers and other persons engaged in rural industries, in the form of subsidies, loans, grants, relief from debt and interest payments, and other monetary measures. See GDA 7 – <i>Financial and Accounting Records</i> – 2.0.0 FINANCIAL MANAGEMENT for records relating to payment or refund of monies paid as financial assistance.		
2.1.0	Advice			
2.1.1		Records relating to the provision of guidance and information to persons enquiring about programs of assistance. Includes written responses to queries as well as arrangements for and reports regarding information seminars and forums, field days, farm days and other events or activities publicising assistance programs.	Retain for minimum of 3 years after last action, then destroy.	
2.2.0	Agreements			
2.2.1		Records relating to the establishment, maintenance, review and negotiation of agreements or memorandums of understanding with State and Commonwealth government bodies involved in the administration or financing of assistance programs. Includes appointments of the Rural Assistance Authority, by the Minister, as the body to wholly or partly administer programs of assistance.	Retain for minimum of 10 years after action completed or 10 years after expiry of agreement, whichever is longer, then destroy.	

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No	Function/Activity	Description	Disposal Action	Custody*
2.3.0	Client Management	The activity of dealing with applications for grants, loans, reimbursement of costs and other forms of financial assistance. Includes the issue of certificates, taking or postponing of securities, conveyance of property as security, release of mortgaged property, registration of property transfers, waiver of debt or interest payments, lodgements with the Registrar-General of caveats, and other matters relating to the case management of applications for financial assistance.		
2.3.1		Records relating to the application for and the receipt of payments in the form of grants.	Retain for minimum of 6 years after action completed, then destroy.	
2.3.2		Records relating to loans where payments attached to a property commenced by 1940, or where loans have been taken out on a property over more than one generation (inter-generational).	Required as State archives.	
2.3.3		Records relating to successful applications where assistance is provided and there are no charges made by the Authority over any estate or interest in land of the person receiving assistance. Includes notifications of Appeal Committees, where a decision of the Authority is appealed against. Does not include cases where an initial loan relating to a property commenced before 1940, or where loans have been taken out on a property over more than one generation (inter-generational).	Retain for minimum of 7 years after final payment of monies, then destroy.	

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No	Function/Activity	Description	Disposal Action	Custody*
2.3.4		Records relating to successful applications for financial assistance where the Authority subsequently acquires the estate or interest in landed property of the applicant. Includes records relating to property acquisition, sale or foreclosure; notifications of Appeal Committees, where a decision of the Authority is appealed against.	Required as State archives.	
2.3.5		Records relating to unsuccessful applications for financial assistance, including cases where there is an unsuccessful appeal against the Authority's decision. Includes notices of refusal, notices requiring that expenses be paid in the event of further applications being made, and notifications of decisions made by appeal committees.	Retain for minimum of 5 years after last action, then destroy.	
2.4.0	Committees			
2.4.1		Minutes, reports and tabled documents of Appeal Committees established to consider appeals against decisions respecting applications for assistance.	Retain for minimum of 5 years after last action, then destroy.	
2.5.0	Issue of Protection Orders, 1970 -2000	The activity of effecting, or assessing applications for, the issue, extension or removal of Protection Orders during the period 1970 - 2000. Includes the registration of Protection Orders.		
2.5.1		Protection Orders Register.	Required as State archives.	

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2.5.2		Records relating to applications for Protection Orders; correspondence with applicants, creditors, the Registrar in Bankruptcy and the Registrar-General; arrangements for publication of Protection Orders; other records relating to administrative matters.	Retain for minimum of 7 years after last action, then destroy.	
2.6.0	Loan Registers, 1920 - 1989			
2.6.1		Registers of loans financed by the State Bank and its predecessor the Rural Bank of New South Wales (formerly known as the Rural Bank).	Required as State archives.	
2.7.0	Program Development	The activity of initiating, developing and reviewing financial assistance programs aimed at funding improvement of the productivity, profitability and sustainability of farm operations, or providing relief from the effects of flood, fire, drought and other adverse circumstances.		
2.7.1		Records relating to implementation of program policies. Includes master copies of final, approved policies, plans, strategies and reports. Also includes instructions from the Minister.	Required as State archives.	
2.7.2		Administrative records supporting program implementation. Includes duplicate copies of policy, planning and reporting documents; provision of information; routine queries.	Retain for minimum of 2 years after last action, then destroy.	

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No	Function/Activity	Description	Disposal Action	Custody*
3.0.0	FARM DEBT MEDIATION	The function of administering the Farm Debt Mediation Act 1994 (the Act), including notification of the availability of mediation, the issue of Section 8 and Section 11 Certificates, and the accreditation of mediators. See <i>GDA 2 – Administrative Records – 24.0.0 PUBLICATION</i> for disposal of kits and other publications relating to farm debt mediation, and records relating to the publication drafting process.		
3.1.0	Accreditation of Mediators			
3.1.1		Records relating to the accreditation of mediators for the purposes of the Act. Includes consultation with Australian Bankers Association and NSW Farmers' Association.	Retain for minimum of 2 years after accreditation lapses or is renewed , then destroy.	
3.2.0	Applications for section 11 Certificates			
3.2.1		Records relating to issue of certificates stating that the Farm Debt Mediation Act does not apply to the mortgage on a farm property (s.11 Farm Debt Mediation Act).	Retain for minimum of 8 years after issue of certificate, then destroy.	
3.2.2		Records relating to applications for s.11 certificates where a certificate is not issued.	Retain for minimum of 2 years after last action, then destroy.	

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No	Function/Activity	Description	Disposal Action	Custody*
3.3.0	Issue of section 8 Certificates			
3.3.1		Records relating to notification informing debtor of creditor's intention to take enforcement action in respect of a mortgage and of the availability of mediation in relation to the debt (s.8 Farm Debt Mediation Act).	Retain for minimum of 5 years after issue of certificate, then destroy.	
3.4.0	Notification of requirement for mediation			
3.4.1		Records relating to receipt of notifications by creditors that mediation is required. Includes issue of mediation kits and other advice or information.	Retain for minimum of 2 years after last action, then destroy.	
3.5.0	Procedures			
3.5.1		Records relating to the formulation and implementation of procedures, including those for commencing and conducting mediation sessions.	Retain for minimum of 3 years after procedures are superseded, then destroy.	

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3.5.2		Master copy of procedure manuals or guidelines	Retain for minimum of 3 years after procedures are superseded, then destroy.	
3.5.3		Duplicate copies of procedure manuals or guidelines	Retain until ceases to be of administrative use, then destroy.	
4.0.0	EDUCATION AND TRAINING	The function of making training and skills development in farm and fishing business management available to farmers and other persons engaged in rural industries. See <i>GDA 7 – Financial and Accounting Records – 2.0.0 FINANCIAL MANAGEMENT</i> for records relating to payment of grant monies and training costs/expenses (eg travel, accommodation, child care, catering, venue hire, coordinators' fees).		
4.1.0	Training Grants			
4.1.1		The activity of assessing external applications for funds to meet the cost of providing training and skills development in farm or fishing business management. Includes FarmBiz applications.		

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4.1.2		Records relating to successful applications for grants.	Retain for minimum of 6 years after action completed, then destroy.	
4.1.3		Records relating to unsuccessful applications for grants.	Retain for minimum of 2 years after last action, then destroy.	
4.2.0	Training Course Registration			
4.2.1		Records relating to assessment of applications for registration of courses, including database registration of course details.	Retain for minimum of 3 years after last action, then destroy.	
4.3.0	Conduct of Training Courses			
4.3.1		Records relating to delivery of courses including reports on outcomes and attendance.	Retain for minimum of 5 years after last action, then destroy.	

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No	Function/Activity	Description	Disposal Action	Custody*
4.3.2		Records relating to development and delivery of seminars, information forums etc to training providers.	Retain for minimum of 2 years after last action, then destroy.	

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