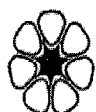


NORTHERN TERRITORY
ARCHIVES SERVICE
&
THE ATTORNEY-GENERAL'S
DEPARTMENT

Disposal Schedule
for Records of the
Attorney-General's Department

Disposal Schedule No. 2000/ 7 (AG)



Northern Territory Government

Authority is hereby granted for disposal of records in accordance with the provisions specified in this schedule

Margaret Lyons

Margaret Lyons
Chief Executive Officer
Attorney-General's Department

Dated 15 / 9 / 2000

Greg Coleman

Greg Coleman
Director
Northern Territory Archives Service

Dated 25 / 8 / 2000

DISPOSAL SCHEDULE FOR RECORDS OF THE ATTORNEY-GENERAL'S DEPARTMENT

Introduction

After authorising the establishment of the Northern Territory Archives Service (NTAS) to promote the efficient and economic management of Northern Territory Government (NTG) records, NT Cabinet directed in Decision No. 3035 of 1983 that no NTG agency could dispose of its records without the approval of the NTAS. This approval is provided in the form of records disposal schedules such as this.

Records Disposal Schedules

There are two types of records disposal schedules - general (whole of government) disposal schedules and agency specific records disposal schedules.

General disposal schedules are intended to provide disposal coverage for those records common to most or all NT Government agencies. There are presently three general disposal schedules – the *Disposal Schedule for Administrative Records of the Northern Territory Government*, the *General Disposal Schedule for Financial Management Records* and the *General Disposal Schedule for Human Resource Management Records*. These can be used by all NT Government agencies for the disposal of records of this type.

Agency specific records disposal schedules are drawn up in consultation with the NTAS and the agency controlling the records. These schedules relate to those records which are unique to the specific agency.

The Disposal Schedule for Records of the Attorney-General's Department

This disposal schedule applies only to records of the Attorney-General's Department (including the Public Trustee's Office and the Registrar-General's Office) in the Northern Territory created by that agency in accordance with its functions.

Sentencing of Records

Sentencing is the process of implementing a disposal schedule - identifying and classifying records according to the schedule and applying the disposal action specified in it. Because of the need to interpret disposal schedules when identifying and classifying records it is strongly recommended that this process be carried out by officers with a reasonable knowledge of agency activities or who are able to seek clarification from within the agency or from the NTAS.

Sentencing with this schedule can be carried out upon creation of records which are titled using the Attorney-General's Department's functional thesaurus because the schedule and thesaurus are linked by Keyword and Activity Descriptor. It can also be carried out on all records not titled using the thesaurus, although this is where a greater degree of expertise in interpretation (matching the terms with the content of the records) is required.

Whether sentencing happens upon creation of the record or at some time thereafter, there is still a need for post-action examination as the title of a record is not necessarily an accurate reflection of the information contained within it. Controlled titling using the thesaurus decreases the chance that valuable information is placed out of context or within an inappropriate record. This reduces the risk of inappropriate destruction of information.

<u>Class No.</u>	<u>Description of Records</u>	<u>Status and Disposal Action</u>
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1.	NTG LEGAL SERVICES	
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1.1	ADVICE	
1.1.1	Crown Solicitor's advisings and related records	RETAIN PERMANENTLY Transfer to the NT Archives Service 15 years after action completed
1.1.2	Records relating to advice received from an internal or external legal service provider regarding Cabinet matters, international law, national security, NT Government-wide industrial issues, interpretation of legislation, matters of major public interest or controversy, matters which are precedent-setting in nature, matters resulting in significant changes to the NT Government's policy, procedures or proposals	RETAIN PERMANENTLY Transfer to the NT Archives Service 15 years after action completed
1.1.3	Records relating to other legal advice from external sources	TEMPORARY Destroy 9 years after action completed
1.1.4	Copies of legal advice	TEMPORARY Destroy when reference ceases

1.2	AGREEMENTS	
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1.2	AGREEMENTS	
1.2.1	Records relating to major agreements eg performance of functions between the Attorney-General's Department and other government agencies, agreements between the NT Government and other governments (national, Commonwealth or state)	RETAIN PERMANENTLY Transfer to the NT Archives Service 10 years after action completed
1.2.2	Signed deeds of release, deeds of indemnity and other similar agreements (including supporting records)	RETAIN PERMANENTLY Transfer to the NT Archives Service 10 years after action completed
1.2.3	Signed agreements and contracts under seal and supporting records	RETAIN PERMANENTLY Transfer to the NT Archives Service 10 years after action completed
1.2.4	Final versions of minor agreements (not involving other governments) made covering the legal services function and supporting documents	TEMPORARY Destroy 7 years after expiry or other termination of agreement

<u>Class No.</u>	<u>Description of Records</u>	<u>Status and Disposal Action</u>
1.6	CONFERENCES	
1.6.1	Master copies of conference transcripts of speeches, proceedings and reports	RETAIN PERMANENTLY Transfer to the NT Archives Service 5 years after action completed
1.6.2	Duplicate copies of conference transcripts of speeches, proceedings and reports	TEMPORARY Destroy when reference ceases
1.6.3	Records relating to arrangements to hold conferences, including draft programs, topics, speakers, publicity, invitations, participants, venue, accommodation and catering	TEMPORARY Destroy 2 years after action completed
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1.7	CONTRACTING-OUT	
1.7.1	Records relating to the management of contracts for the legal services function	TEMPORARY Destroy 7 years after completion or other termination of contract
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1.8	CONVEYANCING (<i>see AGREEMENTS</i>)	
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1.9	CORPORATE STRUCTURES (<i>see AGREEMENTS</i>)	
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1.10	EVALUATION	
1.10.1	Records relating to instatement of a Justice of the Peace or Commissioner for Oaths	TEMPORARY Destroy 85 years after date of appointment
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1.11	INFRINGEMENTS	
1.11.1	Records relating to infringements or breaches of mandatory standards, rules or statutory requirements that do not proceed to litigation, including notifications of breaches, investigations, negotiations, copyright, intellectual property and patents	TEMPORARY Destroy 7 years after action completed

<u>Class No.</u>	<u>Description of Records</u>	<u>Status and Disposal Action</u>
1.16	LITIGATION	
1.16.1	Records relating to litigation matters where legal precedents are set, which are of major public interest or controversy, or result in significant changes to NT Government policy and/or procedures	RETAIN PERMANENTLY Transfer to the NT Archives Service 4 years after action completed
1.16.2	Records relating to litigation matters that do not set legal precedents	TEMPORARY Destroy 7 years after action completed
1.16.3	Subpoenas and discovery orders received by the agency and records relating to agency responses	TEMPORARY Destroy 7 years after action completed
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1.17	MEETINGS <i>(for records of meetings of committees, task forces and any other formal group which meets on a regular basis use COMMITTEES)</i>	
1.17.1	Records relating to ad hoc meetings regarding legal services, including administrative arrangements, attendance, briefing and discussion papers, minutes and reports	TEMPORARY Destroy 6 years after action completed
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1.18	PLANNING	
1.18.1	Final version of agency-wide legal services plans and records relating to the development of the plans	RETAIN PERMANENTLY Transfer to the NT Archives Service 4 years after action completed
1.18.2	Final version of a section or business unit's legal services plans and records relating to the development of the plans	TEMPORARY Destroy 5 years after plan is superseded
1.18.3	Copies of legal services plans	TEMPORARY Destroy when reference ceases
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<u>Class No.</u>	<u>Description of Records</u>	<u>Status and Disposal Action</u>
1.24	REPRESENTATIVES	
1.24.1	Records relating to the nomination, appointment or resignation of individuals or groups of personnel appointed by the organisation or their co-workers as official representatives to organisations, offices, unions, workers participation committees, councils or groups	TEMPORARY Destroy 2 years after action completed
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1.25	RESEARCH	
1.25.1	Records relating to research into the development of projects, standards and guidelines for government relations purposes:-	
	(a) final report (consolidated results of research)	TEMPORARY Destroy 5 years after action completed
	(b) research data, including literature searches, questionnaires, statistics, surveys, working papers and other raw data	TEMPORARY Destroy 1 year after production of report
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1.26	REVIEWING	
1.26.1	Records relating to a review of agency programs and operations supporting the legal services function, including documents establishing the review, final report and action plan	TEMPORARY Destroy 3 years after action completed
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1.27	SECURITIES (LEGAL) (<i>see AGREEMENTS</i>)	
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1.28	SUBMISSIONS	
1.28.1	Records relating to agency comments on NTG Cabinet Submissions	RETAIN PERMANENTLY Transfer to the NT Archives Service 4 years after action completed
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1.29	TRUSTS (LEGAL) (<i>see AGREEMENTS</i>)	

<u>Class No.</u>	<u>Description of Records</u>	<u>Status and Disposal Action</u>
2.	PUBLIC TRUSTEE SERVICES	
2.1	COMMON FUND MANAGEMENT	
2.1.1	Records relating to the day to day operations of the common fund to ensure sufficient monies to pay out estates and trusts are available while optimising returns to beneficiaries	TEMPORARY Destroy 7 years after date of audit
2.2	ESTATE ADMINISTRATION	
2.2.1	Records relating to the process of collecting the assets of the estates, ascertaining the liabilities, dealing with ongoing and outstanding responsibilities ascertaining the beneficiaries, completing the legal requirements and distributing net assets to beneficiaries	TEMPORARY Destroy 25 years after date of closure of account
2.3	TRUST MANAGEMENT	
2.3.1	Records relating to the process of managing funds on behalf of and for the benefit of another according to ones wishes by order of the court	TEMPORARY Destroy 25 years after date of audit
2.4	WILLS	
2.4.1	Wills and records relating to the taking of instructions, preparation and execution of a will, and transfer of the will to the executor	TEMPORARY Destroy 25 years after date of transfer to the Executor

<u>Class No.</u>	<u>Description of Records</u>	<u>Status and Disposal Action</u>
3.	REGISTRAR-GENERAL SERVICES	
3.1	INSTRUMENTS	
3.1.1	Original registers, instruments and supporting documentation from the Registrar of Births, Deaths and Marriages, and the Land Titles Office	RETAIN PERMANENTLY Transfer selected records to the NT Archives Service 4 years after action completed