

**Records Disposal Schedule
Aboriginal Land Information**

**DEPARTMENT OF INFRASTRUCTURE,
PLANNING & ENVIRONMENT**

FEBRUARY 2004

Disposal Schedule No. 2004/5

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ABOUT THIS DISPOSAL SCHEDULE

PURPOSE

The purpose of this Disposal Schedule, is to enable regular, planned and authorised disposal of records of the Department of Infrastructure, Planning and Environment.

SCOPE

Application of this Disposal Schedule is mandatory for records of Department of Infrastructure, Planning and Environment relating to the function of Aboriginal Land Information.

This Disposal Schedule applies to all Aboriginal Land Information records in all formats, including electronic records and records in business systems, copies of records and parts of records

REGULATORY FRAMEWORK

The regulatory basis for this Disposal Schedule is defined in:

- ▶ Pastoral Land Act
- ▶ Aboriginal Land (Northern Territory) Act
- ▶ Aboriginal Land Rights (Northern Territory) Act 1976
- ▶ Native Title Act
- ▶ Australian Standard AS ISO 15489:2002-Records Management

RELATED DOCUMENTS

This Disposal Schedule is to be read in conjunction with:

- ▶ NT Government Records Management Standard – Records Disposal
- ▶ policies and procedures of the Department of Infrastructure, Planning and Environment
- ▶ current authorised disposal schedules for administrative records of the NT Government
- ▶ NT Archives Service Guidelines on Normal Administrative Practice for Records Disposal

RESPONSIBILITY

The Department of Infrastructure, Planning and Environment is responsible for the content and implementation of this Disposal Schedule.

AUTHORITY

This Disposal Schedule was approved by the Director of the Northern Territory Archives Service and the Chief Executive on February 2004 and is effective immediately.

EXPLANATION

This schedule has been developed using the methodologies of the Australian Standard AS 4390–1996, Records Management. The functional structure is based on the business classification scheme of the Keyword AAA: A Thesaurus of General Terms produced by the



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State Records Authority of NSW and modified for use by NT Government public sector organisations.

Records disposal schedules are policy documents that describe each class of records held, using thesaurus classifications based on business analysis. The schedules set out minimum requirements for the creation, maintenance, retention or destruction actions to be taken in relation to existing or future records described in each class.

Either permanent or temporary status is assigned to each class of records. Records appraised with permanent status have been identified as archives and must be transferred to NT Archives Service not later than 30 years after creation. Temporary records will be destroyed at an appropriate time determined by the disposal action identified in the schedule and by consultation with relevant operational business employees responsible for the records.

NT GOVERNMENT DISPOSAL SCHEDULES

There are two types of records disposal schedules:

- ▶ “general” disposal schedules that apply to records common to most or all NT Government public sector organisations, and
- ▶ records disposal schedules specific to an NT Government public sector organisation or function.

There are presently four disposal schedules which provide disposal coverage for records common to most or all NT Government public sector organisations – the General Disposal Schedule for Information Management Records, the General Disposal Schedule for Financial Management Records, the General Disposal Schedule for Human Resource Management Records and the General Disposal for Administrative Records. These can be used by all NT Government public sector organisations to assist with the disposal of administrative records.

SENTENCING RECORDS

- ▶ Records should be sentenced with this records disposal schedule using the following five steps:
- ▶ Determine the appropriate function and activity of the records. This can be done by examining an existing record or when creating a new record.
- ▶ Identify the disposal class.
- ▶ From the disposal action in the class, identify the trigger event and a date when the record can be disposed of, alternately, identify that the record is to be retained permanently as archives.
- ▶ If the trigger event has already occurred (such as action is completed), confirm and implement the disposal action.
- ▶ If the trigger event has not occurred (eg. the record is still in active use), set a review date for the future.



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NORMAL ADMINISTRATIVE PRACTICE

Some records and ephemeral documents can be destroyed as a normal administrative practice if they are:

- ▶ duplicate (eg information or reference copy)
- ▶ obviously unimportant (eg telephone message slips)
- ▶ of short term facilitative value (eg compliment slips)
- ▶ a combination of these

The guiding principle is that organisations should be sure that destroying these records will not destroy evidence that might be needed.

Records that have been captured into a recordkeeping system should not be destroyed as normal administrative practice unless the class of records has been identified in a disposal schedule and reason for their destruction is recorded in full on the relevant control records. Normal administrative practice can be applied to electronic records as well as paper records (eg information on word processing systems where a hard copy has been captured into a recordkeeping system)

NOTIFICATION OF DESTRUCTION

Formal notification of destruction of all records should be provided to NT Archives Service.

ACKNOWLEDGMENT

The Department of Infrastructure, Planning and Environment wishes to acknowledge the use of material produced by National Archives of Australia, and Standards Australia in the development of this schedule.

This schedule was drafted principally by the Department of Infrastructure, Planning and Environment who drafted the schedule in consultation with Aboriginal Land Information and the NT Archives Service.

This work is copyright. Apart from any use as permitted under the Copyright Act 1968, no part may be reproduced by any process without prior written permission of the Northern Territory Archives Service and Department of Infrastructure, Planning and Environment. Requests and enquiries concerning reproduction and rights should be directed to the Director, NT Archives Service or the Department of Infrastructure, Planning and Environment. The terms in the business classification scheme are based on the Keyword AAA: A Thesaurus of General Terms (Government of New South Wales, 1998, and are produced under a licence agreement between the NT Archives Service, on behalf of the Northern Territory Government and the State Records Authority of New South Wales.)

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COMPLIANCE

COMPLIANCE CHECKLIST

- ❑ Implement a records disposal program to ensure regular appraisal, sentencing, destruction and transfer of all records
- ❑ Assign responsibility for the management and application of regular records disposal action using authorised records disposal schedules, to an appropriately skilled records manager who consults with the NT Archives Service
- ❑ Familiarise all employees of the organisation with the authorised records disposal schedules relevant to the organisation's records
- ❑ Identify and sentence all records described in this schedule in all formats including electronic records and records in business systems, copies of records and parts of records
- ❑ Apply this records disposal schedule to records in the organisation's records management systems, including systems for the management of paper records, electronic records, or records in any other format
- ❑ Apply this records disposal schedule to records in the organisation's business systems, either directly or by linking the business system to a records management system
- ❑ Implement quality assurance mechanisms to periodically check that the disposal class originally assigned at the creation of the records is still applicable at the time of sentencing of the record
- ❑ Implement review or quality control procedures in electronic recordkeeping systems to ensure disposal actions are implemented correctly.
- ❑ Retain all records in good order and condition to be available for retrieval during the retention period.
- ❑ Identify and update control records so that you can demonstrate what happened to each record, whether paper or electronic
- ❑ Select and implement an appropriate and approved strategy for retention of records of continuing value, eg. preservation in original form migration to new systems conversion to long term medium
- ❑ Dispose of all records sentenced according to this schedule in all formats including electronic records and records in business systems, copies of records and parts of records
- ❑ Transfer records of permanent value to the NT Archives Service not later than 30 years after creation for retention as archives
- ❑ Inactive records can be transferred to NT Government approved offsite service providers providing they have been sentenced
- ❑ Destroy time expired temporary records in a secure manner that ensures complete



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deletion/destruction beyond any possible reconstruction

- ❑ Notify the NT Archives Service of destruction of all records

- ❑ Do not destroy records that are not described in an authorised records disposal schedule unless they are ephemeral records that are obviously duplicate and/or unimportant



1. ABORIGINAL LAND INFORMATION

The functions of:

- providing advice and recommendations to Government agencies and the Minister on land and Native Title claims;
- processing applications for excision of pastoral land subject to a pastoral lease for community living areas;
- processing permit applications to enter Aboriginal land and closed seas for government and quasi government employees;
- handling enquiries made by the public on a range of aboriginal land matters;
- maintaining records on the opening and closure of public access to Aboriginal land or seas adjoining Aboriginal land;
- reporting on the status of land claims, Native Title claims and community living areas applications.

1.1 ADVICE

The activities associated with offering opinions by or to the organisation as to an action or judgement. Includes the process of advising

Class No.	Description of Records	Status and Disposal Action
1.1.1	Records relating to advice and recommendations made to the Minister on land claim applications. Includes the copy of the application, written correspondence to and from government agencies obtaining information on any interests in the land, investigations conducted by the agency, enquiries received from the public and correspondence with Department of Justice and the Aboriginal Land Commissioner.	PERMANENT Transfer to NT Archives Service 4 years after action completed.
1.1.2	Records relating to advice on tenure history searches conducted into Native Title claims at the request of other Northern Territory public sector organisations. Includes copy of the native title application, land tenure history searches and copy of decisions made by the Federal Court of Australia.	PERMANENT Transfer to NT Archives Service 4 years after action completed.

Note: All entries apply to records in any format, including electronic media, unless otherwise specified. It is the responsibility of all public sector organisations to ensure that all records are readily accessible for the retention periods specified.

1. ABORIGINAL LAND INFORMATION

The functions of:

- providing advice and recommendations to Government agencies and the Minister on land and Native Title claims;
- processing applications for excision of pastoral land subject to a pastoral lease for community living areas;
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- maintaining records on the opening and closure of public access to Aboriginal land or seas adjoining Aboriginal land;
- reporting on the status of land claims, Native Title claims and community living areas applications.

1.2 APPLICATION PROCESSING

The activities involved in assessing applications for community living areas on pastoral land and access permits to Aboriginal land and closed seas. Includes recommendations regarding excision of pastoral land for community living areas.

Class No.	Description of Records	Status and Disposal Action
1.2.1	Records relating to the processing of applications regarding grant of community living areas on pastoral properties and to prepare recommendations to the Minister. Includes the original application, agreements made between the pastoralist and the applicant, investigations conducted by the agency on the validity of the application, enquiries received from the public, and published gazettes of the land acquired.	PERMANENT Transfer to NT Archives Service 4 years after action completed.
1.2.2	Records relating to applications for grant of community living areas on pastoral properties referred by the Minister to the community living areas tribunal. Includes the original application, agreements made between the pastoralist and the applicant, investigations conducted by the agency, enquiries received from the public, recommendations made to the minister and notice of decision by the tribunal.	PERMANENT Transfer to NT Archives Service 4 years after action completed.

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1. ABORIGINAL LAND INFORMATION

The functions of:

- providing advice and recommendations to Government agencies and the Minister on land and Native Title claims;
- processing applications for excision of pastoral land subject to a pastoral lease for community living areas;
- processing permit applications to enter Aboriginal land and closed seas for government and quasi government employees;
- handling enquiries made by the public on a range of aboriginal land matters;
- maintaining records on the opening and closure of public access to Aboriginal land or seas adjoining Aboriginal land;
- reporting on the status of land claims, Native Title claims and community living areas applications.

1.2 APPLICATION PROCESSING

The activities involved in assessing applications for community living areas on pastoral land and access permits to Aboriginal land and closed seas. Includes recommendations regarding excision of pastoral land for community living areas.

Class No.	Description of Records	Status and Disposal Action
1.2.3	Records relating to permits granted to government employees and quasi government that have been revoked at the request of traditional owners and land councils. Includes original authorised applications, photos, and correspondence of the request.	TEMPORARY Destroy 7 years after the permit has been revoked
1.2.4	Records relating to permits granted to government employees and quasi government employees to gain entry onto Aboriginal land or closed seas. Includes original authorised applications, photos and approval by the Minister's delegate.	TEMPORARY Destroy 5 years after permit has been surrendered

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1. ABORIGINAL LAND INFORMATION

The functions of:

- providing advice and recommendations to Government agencies and the Minister on land and Native Title claims;
- processing applications for excision of pastoral land subject to a pastoral lease for community living areas;
- processing permit applications to enter Aboriginal land and closed seas for government and quasi government employees;
- handling enquiries made by the public on a range of aboriginal land matters;
- maintaining records on the opening and closure of public access to Aboriginal land or seas adjoining Aboriginal land;
- reporting on the status of land claims, Native Title claims and community living areas applications.

1.3 COMMITTEES

The activities associated with the management of committees, boards and task forces (internal and external, private, local, state, Commonwealth etc.). Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes, reports, agendas etc.

Class No.	Description of Records	Status and Disposal Action
1.3.1	Copies of records relating to external committees attended by the agency to discuss issues on native title, land claims, community living areas. Includes copies of agenda, minutes, supporting documentation such as discussion papers, copies of reports on cases heard before the courts, submissions and comments.	TEMPORARY Destroy 10 years after the disbandment of the committee

Note: All entries apply to records in any format, including electronic media, unless otherwise specified. It is the responsibility of all public sector organisations to ensure that all records are readily accessible for the retention periods specified.

1. ABORIGINAL LAND INFORMATION

The functions of:

- providing advice and recommendations to Government agencies and the Minister on land and Native Title claims;
- processing applications for excision of pastoral land subject to a pastoral lease for community living areas;
- processing permit applications to enter Aboriginal land and closed seas for government and quasi government employees;
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- reporting on the status of land claims, Native Title claims and community living areas applications.

1.4 CONTROL

The activities associated with creating, maintaining and evaluating control mechanisms, eg Thesaurus.

Class No.	Description of Records	Status and Disposal Action
1.4.1	Database containing details of all land claims, native title claims and applications for community living areas lodged. Includes the status of the land claim, land claim number, claimant details, claim area, lodgement date and reasons.	PERMANENT Retain in agency
1.4.2	Database containing details of all permits issued. Includes agency details, applicant details, details and reasons for entry, date issued and date returned.	TEMPORARY Delete record 5 years after permit surrendered

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1. ABORIGINAL LAND INFORMATION

The functions of:

- providing advice and recommendations to Government agencies and the Minister on land and Native Title claims;
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- reporting on the status of land claims, Native Title claims and community living areas applications.

1.5 ENQUIRIES

The activities associated with the handling of requests for information about the organisation and its services by the general public or another organisation.

Class No.	Description of Records	Status and Disposal Action
1.5.1	Records relating to general enquiries made on land claims, native title claims or community living areas applications that do not lead to further investigation or action	TEMPORARY Destroy 5 years after action completed.

TIP: For enquiries on Aboriginal land information that require further investigation, refer to the relevant land claims, native title claims or community living areas applications file.

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1. ABORIGINAL LAND INFORMATION

The functions of:

- providing advice and recommendations to Government agencies and the Minister on land and Native Title claims;
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1.6 POLICY

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the organisation's operating procedures are determined.

Class No.	Description of Records	Status and Disposal Action
1.6.1	Master copies and supporting documentation of policies developed for the Aboriginal land information function. Includes consultation papers, drafts, policy proposals, reports, research papers, and master set of comments received.	PERMANENT Transfer to NT Archives Service 4 years after policy is superseded.
1.6.2	Duplicate copies of policy documents for the Aboriginal land information function	TEMPORARY Destroy when reference ceases

Note: All entries apply to records in any format, including electronic media, unless otherwise specified. It is the responsibility of all public sector organisations to ensure that all records are readily accessible for the retention periods specified.

1. ABORIGINAL LAND INFORMATION

The functions of:

- providing advice and recommendations to Government agencies and the Minister on land and Native Title claims;
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1.7 PROCEDURES

Standard methods of operating laid down by an organisation according to formulated policy.

Class No.	Description of Records	Status and Disposal Action
1.7.1	Master copy of records relating to the development and implementation of procedures and guidelines for the Aboriginal land information functions; includes manuals, handbooks and directives.	PERMANENT Transfer to NT Archives Service once superseded
1.7.2	Copies of procedures and guidelines for the Aboriginal land information functions.	TEMPORARY Destroy when reference ceases.

Note: All entries apply to records in any format, including electronic media, unless otherwise specified. It is the responsibility of all public sector organisations to ensure that all records are readily accessible for the retention periods specified.

1. ABORIGINAL LAND INFORMATION

The functions of:

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1.8 PUBLIC ACCESS

The activity of opening and closing public access to roads and seas within the Northern Territory.

Class No.	Description of Records	Status and Disposal Action
1.8.1	Records relating to the acquisition and surrender of public roads on Aboriginal land, but not including land granted under an Aboriginal land claim. Includes negotiations, agreements, correspondence between the Minister, Federal Minister, Land Councils and traditional owners.	PERMANENT Transfer to NT Archives Service 4 years after action completed.
1.8.2	Records relating to the open and closure of seas adjacent to Aboriginal land. Includes copy of the application made to the land council, copy of the administrator's correspondence, copy of submissions and comments and copies of gazette notices.	PERMANENT Transfer to NT Archives Service 4 years after action completed.

Note: All entries apply to records in any format, including electronic media, unless otherwise specified. It is the responsibility of all public sector organisations to ensure that all records are readily accessible for the retention periods specified.

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1.9 REPORTING

The process associated with initiating or providing a formal response to a situation or a request (either internal, external or as a requirement of corporate policies), and to provide formal statements or findings of the results of the examination or investigation. Includes agenda, briefing, business, discussion papers, proposals, reports, reviews and returns.

Class No.	Description of Records	Status and Disposal Action
1.9.1	Records relating to reports on the status of land claims, land granted, claims in progress, invalid claims, claims outstanding, claims awaiting hearing and the status of community living areas applications.	PERMANENT Transfer to NT Archives Service 4 years after action completed.

Note: All entries apply to records in any format, including electronic media, unless otherwise specified. It is the responsibility of all public sector organisations to ensure that all records are readily accessible for the retention periods specified.



Northern Territory Government

Department of Infrastructure, Planning and Environment