



Reference: OIA-2017/18-0337

2 March 2018



Dear [REDACTED]

Official Information Act request relating to DPMC document disposal policies

I refer to your two Official Information Act 1982 (the Act) requests made to Crown Law. On 2 February 2018, one part of each request was transferred by Crown Law to the Department of the Prime Minister and Cabinet (DPMC) to the extent they related to DPMC. The parts of the request transferred to DPMC are as follows:

- From your 14 November 2017 request:
4(c) "a copy of the document destruction policy of Crown Law and any other agency involved in the extradition process for [REDACTED] [DPMC]."
- From your 27 January 2018 request:
5(d) "a copy of the document destruction policy of each of the relevant parties [DPMC] at all times since 2010."

Under Section 18 of the Public Records Act 2005, all public records must be evaluated, in a process called 'appraisal' before they can be disposed of. No public or protected records can be legally disposed of without the permission of the Chief Archivist. "Disposal" in this sense is a general term covering actions that include transferring the records to Archives NZ, destroying records that don't have enduring value, or transferring them to another authorised organisation. The permission to dispose of records is granted by the Chief Archivist in the form of a 'disposal authority'.

DPMC records can only be physically disposed of under the disposal authorities. Accordingly, although your requests are for destruction policies, we have interpreted them to be for DPMC disposal authorities since 2010.

In addition to the disposal authorities there is guidance for DPMC staff on the physical destruction of records where there are security or privacy issues, to ensure the information is disposed of appropriately. We have not interpreted your request to include this information. However, please advise if you wish to receive copies of these policies.

Current DPMC document disposal authorities

Authorised disposal authorities for government agencies are published on the Archives NZ website. All government agencies, including DPMC, may dispose of documents under general disposal authorities. The two current general disposal authorities are:

General Disposal Authority 6 (GDA 6)

GDA 6 has been developed for the use of public offices wishing to dispose of common corporate records legally. No further authorisation is needed from the Chief Archivist. GDA 6 covers generic classes of records created through business functions which are common to most public offices and local authorities. You can access GDA 6 at: <https://records.archives.govt.nz/resources-and-guides/general-disposal-authority-6/>.

General Disposal Authority 7 (GDA 7)

GDA 7 covers generic classes of records of any format that have only short-term transitory value in their immediate and minor facilitation of preparing a more complete public record. Therefore they are not required for evidential or legal purposes. These records are created through routine administrative and business processes common to most public offices in the course of performing primary core business functions, duties and responsibilities. You can access GDA 7 at: <https://records.archives.govt.nz/resources-and-guides/general-disposal-authority-7/>.

In addition to the general disposal authorities, the current approved disposal authority for DPMC covers current and legacy records in both paper and electronic form from the three central agencies (DPMC, State Services Commission, The Treasury, and their predecessors). This disposal authority was approved in 2013 and expires in 2023. DPMC has the Archives NZ reference of AAKU. Both the disposal authority itself and an appraisal memorandum amending an existing disposal authority are available at: <https://www.archway.archives.govt.nz/ViewEntity.do?code=DA582>.

This disposal authority excludes some business units in DPMC. Records of the Cabinet Office were excluded as this function has traditionally been covered by a separate disposal authority, which is in the process of being updated by the Cabinet Office. Cabinet Office has a separate Archives NZ reference of AAFD. The disposal authority for Cabinet Office can be accessed at: <https://www.archway.archives.govt.nz/ViewEntity.do?code=OP 01/0088>.

Records of the intelligence functions performed within DPMC were previously excluded. In 2013 agreement was reached to include records of these intelligence functions within the current disposal schedule.

Previous disposal authority

The expired disposal authority for DPMC was approved in 2002 and expired in 2012. This authority (together with a 2013 appraisal report) can be accessed at: <https://www.archway.archives.govt.nz/ViewEntity.do?code=OP 01/0046>.

As all these documents are publicly available. Your request is formally declined under section 18(d) of the Act on the basis that "*the information requested is ... publicly available.*"

This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released quarterly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

You are entitled to ask the Ombudsman to review this response under section 28(3) of the Official Information Act. You can contact the Ombudsman online via the Ombudsman website, by email (info@ombudsman.parliament.nz) or by post to The Ombudsman, PO Box 10152, Wellington 6143. Further details can be found on the Ombudsman website at: www.ombudsman.parliament.nz.

Yours sincerely



Anne Shaw
Director, Office of the Chief Executive