



CAYMAN ISLANDS NATIONAL ARCHIVE

CAYMAN ISLANDS GOVERNMENT

Disposal Authority for Transitory Records

Administrative Schedule No. 8

March 2016



AUTHORISATION FOR THE COMMENCEMENT OF THIS SCHEDULE

Issued under the National Archive and Public Records Law (2015 Revision)

Authorisation:-

Under Section 8 of the National Archive and Public Records Law (2015 Revision), I hereby approve relevant public agencies (as defined under Section 2(1) of the National Archive and Public Records Law (2015 Revision) to administer the disposal of public records in accordance with the prescribed retention periods set out herein.

Franz I. Manderson
Deputy Governor

Date: _____

1. Introduction

The National Archive and Public Records Law (2015 Revision) provides the regulatory framework to support the disposal of government's informational assets past their retention periods. Approval for the destruction of public records is stipulated in accordance with Section 6(2) b. This Schedule sets retention periods for transitory records in all public agencies. Disposal of public records involves destruction, acquisition by the National Archive and records transferred to the custody and ownership of another agency.

2. Legislative Framework

This Schedule is issued under Section 8 of the National Archive and Public Records Law (2015 Revision) and is a requirement for every public agency as defined under Section 2(1) of this Law. Evidentiary backing within practice for establishing a sound records and information management infrastructure is supported by the following legislation, and best recordkeeping standards/policies from other jurisdictions:-

- The Cayman Islands Constitutional Order 2009
- Public Service Management Law (2013 Revision)
- Public Service Management Law – Personnel Regulations (2013 Revision)
- Public Management and Finance Law (2013 Revision)
- Public Management and Finance Law – Financial Regulations (2013 Revision)
- Freedom of Information Law (2015 Revision)
- Evidence Law (2011 Revision)
- Electronic Transactions Law (2003 Revision)
- Limitation Law (1996 Revision)
- National Archives of Australia - Guidance on Destroying Records as a Normal Administrative Practice
- Government of the Northwest Territories – Records Retention and Disposal Authority 1997-02
- Saskatchewan Archives – Guidelines for the Management of Transitory Records
- Records and Information Management Branch, Government of Alberta – Official and Transitory Records: A Guide for Government of Alberta Employees, 2011
- Archives of Ontario, Government of Ontario – Common Records Series: Transitory Records, 2008
- Archives New Zealand – General Disposal Authority 7 – Facilitative, Transitory and Short-Term Value Records [DA 576]
- Department of Science, Information Technology and Innovation, Queensland State Archives - Transitory Records and Short Term Retention and Disposal Schedule, QDAN 720, 2015.
- Province of British Columbia – Government Records Service Guide, Transitory records, ARCS 195-45, 2014.
- Library and Archives Canada – Authority for the Destruction of Transitory Records, 1990.

3. Exclusions

This Schedule does not cover the destruction of public records:-

- a) If records are deemed to have intrinsic or archival value regardless of its original format or media or records that will be held permanently within agencies.
- b) If there is a government policy or directive not to destroy public records.
- c) If public agencies are reasonably aware records may be required for judicial matters or audits.
- d) If records are subject to access inquiries or appeals under the Freedom of Information Law.
- e) If the Cayman Islands National Archive has issued a standard prohibiting the destruction of specific records required for incorporation into the Historical Collection for long-term preservation.
- f) If the records are not covered by this Cabinet-approved disposal authority.

Additionally, this Schedule excludes any and all administrative and operational transitory records as noted in the approved “Disposal Authority governing the operational records of [agencies]”.

TRN	TRANSITORY RECORDS Records, in any format, generated or received by an entity during the course of normal business operations, which have limited value once usefulness has ceased for the completion of a routine task, or in preparation of a final record. Transitory records are not required to fulfil any legal or fiscal obligations, sustain administrative or operational functions, or provide evidentiary backing of decisions taken by an entity.
Due to the temporary usefulness of transitory records, there are no activities. <u>All series have a disposal action of "Destroy when reference ceases".</u>	
TRN/ADP/01	External Advertising and Promotional Materials Solicited and unsolicited information received from external bodies (i.e. private sector or overseas jurisdictions) advertising their products or service. Includes responses from agency acknowledging receipt. <u>Excludes:</u> Documents that are external to the agency, but hold an intrinsic value in that they demonstrate decision making, policy development, or operational decisions, or which may require further action from the entity.
TRN/APP/01	Appointment Diaries, Calendar Entries, Duty Rosters Relating to scheduling meetings, events, appointments and duties each person has performed. <u>Excludes:</u> <ul style="list-style-type: none"> • Work diaries of senior management, i.e. Ministers and Chief Officers. • Log books required as evidence of a particular function, e.g. police logbooks. • Diaries, calendars, rosters required as evidence of attendance.
TRN/COP/01	Copies Duplicates in any format where nothing has been added, revised or deleted. Includes copies used solely for reference or convenience purposes, with the original record captured in the official recordkeeping system. <u>Excludes:</u> <ul style="list-style-type: none"> • Copies of minutes for committees, boards, etc. where the agency is a representative. • Directives, memos or circulars from senior government officials in regards to government wide administrative or operational activities. • Copies of Cabinet Papers and papers presented to/obtained from the Legislative Assembly. • Duplicates held in another medium or format required as file copies for operational purposes, e.g. printouts from electronic databases where the paper is submitted as evidence of the agency's financial/statutory obligations. <u>Consult the relevant administrative or agency operational disposal schedule.</u>
TRN/FAC/01	Facilitative Records Created or received for minor, or short-term informational needs, or reference purposes and are not essential for administrative or operational functions. <u>Excludes:</u> <ul style="list-style-type: none"> • Input and source records which contain signatures required for administrative or operational purposes. • Source record containing information not captured elsewhere. <u>Consult the relevant administrative or agency operational disposal schedule.</u>

TRN/ROU/01	<p>Routine Communications</p> <p>Routine communication and information received from, created for, or disseminated to other agencies and/or members of the public such as office closures and notices of disruption of services.</p> <p><u>Excludes:</u></p> <ul style="list-style-type: none"> • Significant addresses made by senior government officials at major events. • Statutory requirements for agencies, e.g. monthly, quarterly and annual reports. • Circulars, newsletters and bulletins of significance, requiring further action from agency. • Notices resulting from significant events, or natural disasters which cause major disruptions in office services or operations, e.g. hurricane damage. • Social media posts that require further action, or where the social media is used as an official business means for delivery of services.
TRN/WRK/01	<p>Working Drafts and Materials</p> <p>Preliminary versions or outlines of correspondence, reports, etc.</p> <p><u>Excludes:</u></p> <ul style="list-style-type: none"> • Development of legislation. • Agency standards, policies and procedures. • Agency publications. • Where a final record was never produced. • Legal documents such as agreements and contracts. • Drafts that contain significant or substantial changes, or annotations. • Drafts required as evidence of decisions, reasons, actions, or formal approvals. • Research conducted or commissioned by the agency to support its functions.