

ARCHIVES ACT

R-006-2017

Registered with the Registrar of Regulations

2017-03-30

ARCHIVES REGULATIONS, amendment

The Commissioner, on the recommendation of the Minister and the Public Records Committee, under subsections 11(1) and (2) of the *Archives Act* and every enabling power, makes the annexed amendment to the *Archives Regulations*.

1. **The *Archives Regulations*, R-022-2012, are amended by these regulations.**
2. **Section 1 is amended by striking “the Schedule” and substituting “Schedule 1”.**
3. **Section 2 is repealed and the following substituted:**

Return of public record

2. Where a public record has been transferred to the Archivist, the government body from which the public record was transferred may make application to the chairperson of the Public Records Committee for return of the public record in Form 1 of Schedule 2.

Destruction of public records

3. Where the Public Records Committee determines that a public record over which a government body has control has no archival value, the Records Manager of the Department of Community and Government Services may destroy the record before the date of transfer to the Archivist.

Determination of archival value

4. In determining whether a public record has no archival value, the Public Records Committee shall consider, amongst other things,
 - (a) whether the record is a duplicate of other records;
 - (b) whether the record is of historical, cultural or financial value; and
 - (c) whether there is a legal requirement to retain the record.

Transitory Records

5. A government body that has control of a transitory record, as described in Records Retention and Disposal Authority No. 1, the text of which is set out in Schedule 3, may destroy the transitory record before the date of transfer to the Archivist.

4. **The Schedule set out in the regulations is renamed Schedule 1.**
5. **Schedules 2 and 3 set out in the Schedule to these regulations are added after Schedule 1 to the regulations.**

SCHEDULE (Section 5)

SCHEDULE 2 (Section 2)

FORM 1

APPLICATION FOR RETURN OF PUBLIC RECORD

TO: The Chairperson of the Public Records Committee:

1. Name of Government Body:

.....

2. Name and Title of Authorized

Representative.....

3. Authorized Representative's Contact

Information.....

4. On behalf of (name of government body), I hereby apply for return of the following public record(s) that has (have) been transferred to the Archivist under the Archives Act:

List of Public Records to be returned:

.....
.....
.....
.....
.....
.....

Dated at..... on.....
20.....

.....
Authorized Representative of Government Body

5)

GOVERNMENT OF NUNAVUT
TRANSITORY RECORDS
RECORDS RETENTION AND DISPOSAL AUTHORITY
RDA No. 1

Schedule prepared by Records Management, PW&S and submitted to the December 13, 2000 meeting of the Public Records Committee (PRC) as amended by the PRC on January 16, 2017.

1. Schedule is approved by PRC.

Original signed _____

December 13, 2000 as amended on
January 16, 2017

Edward Atkinson
Chair, PRC

Date

2. Schedule is not approved by PRC.

Edward Atkinson
Chair, PRC

Date

3. Schedule is returned to Records Management for the following amendments:

Edward Atkinson
Chair, PRC

Date

Purpose of RDA No. 1

The purpose of this schedule is to formalize the records retention periods and authorize the disposition of transitory records created and acquired by the Government of Nunavut (GN) in accordance with the *Archives Act* and other relevant legislation, GN policies, directives and standards. The retention and final dispositions specified meet the GN's and the creating department's information requirement, ensure fiscal and audit control, protect the government's legal rights and obligations, and provide for effective management of the GN's and the department's records management functions.

Description of records

The schedule organizes, classifies and schedules all transitory records created or acquired by the Government of Nunavut. It includes a description of the records, outlines the purpose of each record, and indicates the retention period and final disposition of each record.

This schedule applies to records in all media.

Transitory records are records in any media that have only immediate or very short-term usefulness. They are not regularly filed in an administrative or operational records or information system, and are required only for a limited period of time for the completion of a routine action or the preparation of a record. Transitory records are not required to meet statutory obligations or to support administrative or operational functions. Complete detailed descriptions of transitory records are provided in the body of this records retention and disposal authority.

Disposition of records

This schedule has been established to allow government organizations to routinely dispose of transitory records. Although government organizations do not require authorization to destroy transitory records, secure and confidential destruction is essential.

Transitory records

The following provides a detailed description of the types of records, which are described as transitory records for records retention and disposition purposes.

1. Advertising Material

Advertising material includes solicited or unsolicited information received from organizations or individuals advertising their products and services. It includes brochures, company profiles, sales letters, menus, catalogues, price lists and other material. If the advertising material is of no interest or use or of only short-term interest or use to a government organization then it can be treated as a transitory record.

2. Blank Information Media

Blank information media includes anything that was created by or for a government organization for the purpose of storing information but which has not been used for this purpose. This includes *unused stationery and obsolete forms* that no one has filled out, and audio tapes, dictation tapes, video tapes, diskettes, magnetic tapes, disk drives, optical disks, or other electronic media that were used to store information and where the information stored on them has been erased.

Note: Some blank forms are controlled for audit purposes. Before destroying blank forms with sequential numbers, check if the number ranges of forms to be destroyed need to be recorded.

3. **Draft Documents and Working Materials**

Draft documents and working materials are records that contain information that has been used to create a master record. Included are drafts of correspondence, reports and other documents, calculations, research materials, rough notes, editing and formatting notes, manuscripts that have been typed and dictation tapes that have been transcribed. Once a master record has been placed into a records or information system most drafts and working materials become transitory records.

Note: This schedule does not cover working papers and drafts that are described or specified in some other records schedule. If in the judgement of the program or service that created them, they are required to register the development of a document, formula or something of significance, they should be incorporated into a records or information system and scheduled separately along with related program/service records series. These exceptions are:

- drafts and working materials produced and used in the preparation of legislation (acts, regulations, orders-in-executive-council);
- drafts and working materials produced and used in the preparation of legal documents (contracts, agreements, etc.);
- drafts and working materials produced and used in the preparation of audit reports;
- drafts and working materials produced and used in the preparation of policies, standards, guidelines and procedures;
- accountants working papers; and
- draft versions of government publications, posters, films and other communications materials.

4. **Duplicate Documents**

Duplicate documents are exact reproductions of documents where:

- nothing significant has been added, changed or deleted;
- the documents were created and used only for convenience of reference purposes; and
- the master version of the document has been filed in a records or information system and is scheduled along with related records series.

Duplicate documents could include photocopies of paper documents, informational materials, extra copies of government brochures or pamphlets, prints from a microfilm image, duplicates of a microform image, prints from an optical disk system, duplicate audio or video recordings and duplicate electronic mail.

5. **Publications**

Publications include books, magazines, periodicals, pamphlets, brochures, journals, newspapers and software documentation not developed by, but acquired from sources either inside or outside the Government of Nunavut.

For commercial publications the information contained in these publications belongs to the publisher under copyright laws, not to the Government of Nunavut, despite the fact that the Government has purchased the publication.

Note: The Government of Nunavut holds the copyright for publications that were developed and issued by or for government organizations. If your organization created a publication, the original or master should be scheduled separately along with related records series and is not a transitory record.

6. Temporary Information

Temporary information includes records containing information that is of only immediate or very short term use to a government organization and that has little value, especially as time passes, that it can be destroyed once it has been acted on. Some examples are instant messaging (in various forms such as text message, iMessage or BBM messages), routing slips, telephone messages, calendars and diaries (daily record of business appointments and activities) opened envelopes, informal notes of little consequence.

Note: If such records contain significant information or you suspect they do, do not treat them as a transitory record, file them in a records or information system and schedule them separately along with related records series. Telephone messages that provide proof that a certain individual called, a routing slip that contains more significant information than simply that a document is attached, a calendar or diary that includes notes about a meeting, an opened date stamped envelope that provides proof of when an envelope was mailed or received (as in the case of tenders), or a note that conveys approval for or an opinion about a proposed activity or course of action may not be transitory documents.

| TRANSITORY RECORDS | Department | Records Centre | Final Disposition |
|-------------------------------------|------------|----------------|-------------------|
| Advertising material | S/O* | 0 y | Destroy |
| Blank information media | S/O* | 0 y | Destroy |
| Draft documents & working materials | S/O* | 0 y | Destroy |
| Duplicate documents | S/O* | 0 y | Destroy |
| Publications | S/O* | 0 y | Destroy |
| Temporary information | S/O* | 0 y | Destroy |

S/O* = Retain until superseded, obsolete, and no longer needed.