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Alex Harris

Via fyi.org.nz

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Dear Alex Harris

Official Information Act request reference: 17/18-0225

Thank you for your request for official information, received by Archives New Zealand on 8 January 2018. You requested:

A copy of the register of deferred transfers [made under section 19(2) of the Public Records Act 2005].

The Public Records Act 2005 (PRA) requires that public records that have been in existence for 25 years are transferred to the control of the Chief Archivist. A mandatory transfer is not required if:

- the public records are authorised for destruction in accordance with the Public Records Act or are required to be destroyed under another Act;
- the public records are transferred to the control of the Chief Archivist before 25 years; or
- the transfer of records is deferred.

A public office may request a deferral of transfer for records 25 years or older that are appraised as records of archival value. For a deferral to be approved, the disposal action is likely to be 'retain as a public archive', or 'transfer to Archives New Zealand'. Deferred records must also have an Access Authority (AA) agreed, in accordance with section 44 of the PRA. They must also be stored securely and preserved in sound conditions, in accordance with the *Information and records management standard*.¹

Section 22 (1)(d) of the PRA provides for the deferral of transfer for records of archival value that contain sensitive information. A deferral of transfer under this section can only apply in certain circumstances, which are set out in section 22(6) of the PRA. Such a deferral must also be certified by the Minister responsible for the requesting public office, in consultation with the Minister of Internal Affairs (who is responsible for Archives New Zealand).

¹ <https://records.archives.govt.nz/resources-and-guides/information-and-records-management-standard/>.

The recommended period of time for deferral is no longer than five years. This is part of Archives New Zealand's policy to ensure that public offices are not paying for storage unnecessarily, and it assists with the control of archival records. The public office may revoke the agreement if it wishes to transfer prior to the end of the deferral period. The Chief Archivist may choose to impose additional conditions as part of the agreement to defer transfer; these will be documented if so.

I am releasing to you a copy of the *Register of Deferred Transfers*. The register lists all classes of records that are or have been deferred, and any conditions placed on their deferral. The register does not record any subsequent actions taken (e.g., transfer to Archives NZ) at the expiration of the deferral period; that information is recorded elsewhere as it is a separate action under the PRA. The register does not record instances where a deferral was denied. No deferrals have been approved since 2014.

The Legacy Records Programme referred to in the register was launched in 2008 to help public offices comply with their obligations to manage records in their custody that were over 25 years old (records over 25 years of age are known as legacy records). A number of public offices were granted deferrals of transfer as a result of the programme.

Please note that our Wellington office is not accepting transfers due to the need for remedial work to the Wellington repository following the Kaikōura earthquake. This suspension is indefinite. We are working through the implications for deferral of transfer this might have. To date, no deferrals have been processed as a result of this suspension.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Richard Foy', with a stylized flourish at the end.

Richard Foy
Chief Archivist (acting)
Archives New Zealand

Register of Deferred Transfers

Deferral Number	Public office	Description of records	File reference	Period of deferral	Commencement date	Expiry date	Notes	Status
	GCSB	All records over 25 years or older		25 years from date of authorisation	24/01/2002	24/01/2027	Under Archives Act 1957 remains in force under s64 of PRA 2005	CURRENT
DT1	Security Intelligence Service	All records which carry a security classification, and all records provided by overseas governments	2005/1949	5 years for records over 50 years old; 10 years for records under 50 years old	21/06/2005	21/06/2010 (for records over 50 years old); 21/06/2015 (for records less than 50 years old)	Deferred by ministerial direction under s 22(1) d)	EXPIRED
DT2	Maritime New Zealand	Seafarer candidate files	2005/2756	65 years from the date of the last paper on file	14/11/2005	2070		CURRENT
DT3	New Zealand Police	Open unsolved offence and incident files	2005/4857	70 years after the date of the last paper or last activity on the file	8/11/2005	2075	Signed by Deputy Commissioner	CURRENT
DT4	Minister of Foreign Affairs	Selected records which carry a security classification -- refer eA30644	2005/4857	10 years from 10 April 2007	10/04/2007	10/04/2017 for those records over 25 years old	Signed by the Ministers	EXPIRED
DT5	Securities Commission	Minute books, monthly meeting papers, sealed documents	2005/4857	10 years from 28 May 2007	28/05/2007	28/05/2017		EXPIRED
DT6	Museum of New Zealand Te Papa Tongarewa	Organisational records over 25 years	2011/4385	10 years from date of authorisation	24/12/2007	24/12/2009	This deferral is applied only to Te Papa's organisational records not their special collections.	EXPIRED
DT7	Wairarapa District Health Board	Wairarapa Hospital records over 25 years	2005/4857 (original file 2009/1739)	5 years from date of authorisation	1/01/2009	1/01/2014	Records currently held by the Wairarapa Museum. Deferral granted to allow Museum to seek and be granted Approved Repository status. Ref A344509	EXPIRED
DT8	Rongotai College	Admissions and Withdrawal Registers	2009/4984	30 Years from date of deferral agreement being signed	4/09/2009	4/09/2039	Not signed but Chief Archivist gave approval in letter A377264	CURRENT
DT9	Maori Land Court	All records that are 25 years or older	2009/5694	5 years from the date of the deferral agreement being signed	23/09/2009	23/09/2014	Maori Land Court to keep in close contact with Archives NZ and to contact us in March 2010 during the development of their appraisal report and continuing as needed.	EXPIRED
DT10	External Assessments Bureau	All records over 25 years or older	2008/5597	5 years from the date of deferral authorisation	13/01/2010	12/01/2015		EXPIRED
DT11	Archives New Zealand	Classes 2.3.1, 3.0.2, 3.0.4 and 3.0.5 of DA350	2009/0929	10 years from date of authorisation	15/03/2010	15/03/2020		CURRENT
DT12	Ministry of Transport	Classes 8 4.1 and 4.3 of DA319.	2009/7762	10 years from date of authorisation	5/02/2010	5/02/2020	The records will be transferred to Archives NZ once they cease to have a business purpose and/or administrative function	CURRENT
DT13	Massey University	All records that are 25 years or older	2008/5932	5 years from date of authorisation	14/04/2010	14/04/2015	Massey University is conducting a Legacy Records Project and will report their progress to us.	EXPIRED
DT14	Scion / NZ Forest Research Institute	All records that are 25 years or older	2008/6632	5 years from date of authorisation	28/04/2010	28/04/2015	Scion is conducting a Legacy Records Project and will report their progress to us.	EXPIRED

REGISTER OF DEFERRED TRANSFERS

Deferral Number	Public office	Description of records	File reference	Period of deferral	Commencement date	Expiry date	Notes	Status
DT15	University of Waikato	All records that are 25 years or older	2010/3404	5 years from date of authorisation	21/07/2010	21/07/2015	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT16	University of Auckland	All records that are 25 years or older	2009/8772	5 years from date of authorisation	28/07/2010	28/07/2015	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT17	Department of Conservation	All records that are 25 years or older	2008/5703	to 31 December 2015	26/04/2010	31/12/2015	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT18	University of Canterbury	All records that are 25 years or older	2009/9105	5 years from date of authorisation	14/07/2010	14/07/2015	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT19	Ministry of Fisheries	All records that are 25 years or older	2008/6052	5 years from date of authorisation	28/06/2010	28/06/2015	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT20	Meridian Energy Limited	All records that are 25 years or older	2010/5809	1 year from date of authorisation	8/09/2010	8/09/2011	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT21	Industrial Research Limited	All records that are 25 years or older	2008/5891	5 years from date of authorisation	10/01/2011	10/01/2016	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT22	Victoria University of Wellington	All records that are 25 years or older	2011/0372	5 years from date of authorisation	28/01/2011	28/01/2016	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT23	Ministry of Social Development	All records that are 25 years or older	2008/6215	5 years from date of authorisation	10/02/2011	10/02/2016	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT24	New Zealand Defence Force	Site and building plans (GDA4/13.6)	2010/7291	10 years from date of authorisation	24/03/2011	24/03/2021	The records will be transferred to Archives NZ once they cease to have a business purpose and/or administrative function, and once security classification has lapsed.	CURRENT
DT25	Plant & Food Research	All records that are 25 years or older	2011/1343	2 years from date of authorisation	7/04/2011	7/04/2018	Deferral requested under Legacy Records Programme conditions. Extended to 2018 on 07/04/2013.	CURRENT
DT26	Auckland University of Technology	All records that are 25 years or older	2009/8758	Until 31/06/2015	2/09/2011	31/06/2015	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT27	The Treasury	Records scheduled as "retain" under DA465	2011/0078	5 years from date of authorisation	5/08/2011	5/08/2016	Records were considered for Appraisal as part of DA465. Long term value was considered to be still uncertain, so 5 further years were requested to make an appraisal decision.	EXPIRED
DT28	Christchurch Polytechnic Institute of Technology - Legacy Records	All records that are 25 years or older	2012/1039	5 years from date of authorisation	1/02/2012	1/02/2017	Deferral requested under Legacy Records Programme conditions.	EXPIRED
DT29	Museum of New Zealand Te Papa Tongarewa	All records that are 25 years or older	2011/4385	10 years from date of authorisation	4/04/2012	4/04/2022	Signed agreement between the Chief Archivist and the CE of Te Papa	CURRENT
DT30	AgResearch Limited	All records that are 25 years or older	2010/5794	5 years from date of authorisation	1/12/2012	1/12/2017	Deferral requested as part of their Legacy project which will be completed by 2017	EXPIRED

REGISTER OF DEFERRED TRANSFERS

Deferral Number	Public office	Description of records	File reference	Period of deferral	Commencement date	Expiry date	Notes	Status
DT31	Civil Aviation Authority	Classes 1.2.1, 1.4.1, 1.5.1, 1.6.2 and 4.12	2011/3023	25 years from date of authorisation	3/06/2011	14/12/2036	Deferral requested as these classes are still operational and are likely to be so for some time	CURRENT
DT32	Nelson Marlborough Institute of Technology	Class 1.1.1 "Academic Record"	2013/0459	25 years from date of authorisation	19/02/2013	19/02/2038	Deferral requested in accordance with requirement of DA424 (General Disposal Authority for Institutes of Technology and Polytechnics)	CURRENT
DT33	Ministry of Justice	Adoption registers and case files	2012/0420	50 years from date of closure	19/02/2013	19/02/2023	Existing AA43; however courts are developing a new AA. Furthermore no date of closure was provided so date to expire in line with validity of DA	CURRENT
DT34	Radio New Zealand	Audio photograph and paper records from Radio New Zealand Programming	2008/6614	10 years	25/03/2013	25/03/2023	Archive to be managed by Nga Taonga Sound & Vision (formerly New Zealand Film Archive)	CURRENT
DT35	Wairiki Institute of Technology	Summaries of Employee History, class 3.1.4, DA558 (GDA6)	2014/1737	5 years from date of authorisation	2/04/2014	31/03/2019	Related Access Authority: AA943	CURRENT
DT36	Ministry for Culture and Heritage	TVNZ Archive records	2011/3685	5 years from date of authorisation	1/08/2014	1/08/2019	Related Access Authority: AA939 DA603	CURRENT
DT37	Wairiki Institute of Technology	Meetings, corporate planning and reporting, and internal communications	2014/3397	5 years from date of authorisation	16/09/2014	15/09/2019	Related Access Authority: AA943	CURRENT