

Anglican Church of Australia - Diocese of Brisbane

Regulations under the Records and Archives Canon 1992

REGULATION III - DISPOSAL OF RECORDS

made by the Archbishop acting by and with the advice of the Diocesan Council on 12 November 1992.

The Archbishop-in-Council prescribes that the following rules shall govern the disposal of Records of this Church, and other Records in the custody of this Church -

1 Interpretation.

In this Regulation, unless the context or subject matter otherwise requires or indicates -

"disposal" of Records means the sale, transfer, destruction, abandonment of or otherwise doing away with Records;

"Officer" means a Member of the Clergy, an Office Bearer, the Diocesan Archivist, a member of any commission, committee, council or board of the Church, any person who is a member of their staff or who works under their direction, and any employee of the Church.

2 Disposal not required.

Nothing in this Regulation shall be taken to mean or imply that disposal of any Records of this Church, or other Records in the custody of this Church, is mandatory.

3 Certain transferring of Records is not disposal.

The following instances of the transfer of Records are deemed not to be disposal within the meaning of this Regulation -

3.1 where the transfer of Records is undertaken in the course of the transfer of a function, power or duty from one person or body to another, where the Records being transferred are necessary for the discharge of the function, the exercise of the power or the performance of the duty transferred;

Examples: the transfer of parish files to an incoming Parish Priest; the transfer of financial records to an incoming Treasurer; the transfer of records on a building project to the architect or building committee.

3.2 where Records are delivered up to the General Manager in accordance with sec. 4 of the Records and Archives Canon 1992.

4 Records which may be disposed of.

The following Records may be disposed of, unless the Diocesan Archives Committee notifies the person who has custody of the Records that they must not be disposed of -

- 4.1 copies of documents which are held in the same office or which are known to be held in another office of this Church;
Examples: extra copies of reports and business papers for meetings; extra copies of bulletins, newsletters.
- 4.2 correspondence of no present or future interest, provided that the disposal is agreed to by two Officers -
 - 4.2.1 one being the person with custody of the Records; and
 - 4.2.2 the other being a person who is independent of any control or direction by, or responsibility for, the first mentioned Officer;
Example: circulars & brochures of a limited interest or application.
- 4.3 financial Records more than seven years old, except for cash books, ledgers and journals;
Examples: receipt; invoices; bank statements.
- 4.4 Records which are not listed in the following section.

5 Records which may not be disposed of.

The following Records may not be disposed of, except with the approval of the Diocesan Archives Committee -

- 5.1 Records which are required to be raised, made or kept under the provisions of any of the Canons;
Examples: Registers in Parishes; rolls or other records of Parishioners; minute books; out-of-date rolls.
- 5.2 Records which by law must be retained;
Example: documents issued pursuant to fire safety regulations.
- 5.3 canons, regulations, instructions from the Archbishop, the Synod, the Diocesan Council and any others in authority;
Example: instructions on the administration of the sacraments.
- 5.4 terriers and inventories of properties, contents of properties, and goods owned by or in the possession of the Church;
Examples: inventories made for insurance purposes; superseded inventories.
- 5.5 Records relating to properties, contents of properties, and goods owned by or in the possession of the Church at the present or in the past, which provide information as to their history, how the Church came to own or have possession of them, their construction, alterations and work done to them, and their disposal from the ownership or possession of the Church;

Examples: title deeds; correspondence; maps; local histories; photographs; drawings; instruction manuals for equipment; faculties; deeds of dedication.

- 5.6 Records relating to bequests, legacies and memorial gifts;
Examples: copy of will; correspondence with an executor or donor; material relating to the person making a bequest; material relating to a person in whose memory a gift was received.
- 5.7 correspondence with, and certificates, licences and permits issued by, any branch of government or semi-government, and financial institutions;
Examples: art union permits; certificates of exemption from federal tax; permits to hold street stalls and processions.
- 5.8 Records made or acquired by an Officer of the Church pursuant upon the exercise of the Officer's duties, responsibilities or functions;
Examples: notes of meetings and conversations; drafting notes; reports, correspondence received and sent; official diaries.
- 5.9 Records tabled at meetings, or referred to in minute books, or Records considered by Officers of the Church in making decisions;
Examples: correspondence tabled or received; circulars or brochures which led to payments being made; annual reports; annual financial statements; reports of committees tabled, received or referred to.
- 5.10 Records which are necessary for administration, or which would be of assistance in administration, including a copy of past annual returns, charts of files and charts of accounts;
Examples: general correspondence; current rosters & checklists; copies of liturgical assistants' licences.
- 5.11 any financial Records less than eight years old, and all cash books, ledgers and journals of any age;
Examples: receipts, invoices and bank statements less than eight years old.
- 5.12 circular letters, newsletters and brochures originating in the office concerned;
Example: file copy of newsletters.
- 5.13 forms and orders of service for particular events, seasons and occasions, and papers produced for use or distribution at church services;
Examples: dedication services; carol services; services for blessing of a home; pew bulletins.
- 5.14 speeches, sermons and addresses given in relation to any activities of the Church where an original or a copy is given into the custody of the Church;
Example: speech at a dinner.
- 5.15 private Records.
Example: private papers deposited with the Church relating to a Parish, school, institution, society or person.

6 **Methods of disposal.**

6.1 Permission to dispose of Records means permission to destroy them, or arrange for their destruction (apart from methods of disposal permitted in the following sub-section), provided that where any of the information in the Records is of a private, personal or sensitive nature the person destroying them or arranging for their destruction must ensure that they are made unreadable before leaving that person's custody.

Examples: copies of parish rolls; copies of confidential or private correspondence.

6.2 Where the disposal of Records is permitted by the terms of this Regulation or by the Diocesan Archives Committee, the approval of the Diocesan Archives Committee must be obtained before any Records are sold, transferred outside of the custody of this Church or abandoned.

Examples: sale to a private collector; gift to another church; depositing with or lending to a local archives or the library of an educational institution; leaving behind when a building is sold.
