

Parliamentary Counsel Office Records Retention and Disposal Schedule  
2013/3405, A819059

	Class/Sub-Class Title	Description and Examples of Records	Trigger (when record becomes non-current)	Minimum retention (after record is non-current)	Disposal action	Authority (for approval to dispose)	Cross reference to classification structure	Notes
<b>1</b>	<b>LEGISLATIVE AND DRAFTING PROCESS RECORDS</b>							
1.1	Policy and projects	Policy or projects regarding the way in which legislation is drafted, published or printed such as: - Legislation Programme Policy - Changes to language used in legislation (e.g. gender neutral language) - Clear drafting approach - Changes in printing approach - MOUs with Office of the Clerk and IRD about printing of legislation - Policy and authorisations about the "Officialisation" process - the change from paper to electronic as the official version of legislation - Policy regarding the use of forms and graphics in legislation - Project to publish High Court Rules which became a model for the publishing of forms in legislation. - Legislation Revision Programme planning and consultation (note, actual revision of Bills are captured in class 5.1, operational records about the programme are in class 1.5). - Excludes routine operational records and information received for informational purposes as part of the drafting process.	Date of last action	10 years	A - Retain as public archive		LE 001, LE 004, LE 006, LE 012, LE 013, LE 015, LE 016, LE 017, LE 018, LE 019, LE 105, LE 107, LE 119, LE 500, PP 001, PP 002, PP 003, PP 004, PP 005, PR 001, PR 002, PR 003	Actual records of drafting legislation are covered in Record class 5.
1.2	Core Drafting Process - significant decisions and advice	Significant advice about or changes to the way legislation is drafted, designed or tracked. Eg IRD - Taxation Drafting Procedures, Law Commission Drafting Procedures, OC Drafting Procedures, Drafting Techniques, International compliance, Exercise of Discretion under the Legislation Act 2012. Also includes manuals held in Confluence such as the Drafting Manual and the Style Manual.	Date of last action	10 years	A - Retain as public archive		LE 011, LE 015, LE 022, LE 104, LE 105, LE 107, LE 300, LE 500, LS 206, LE 405	
1.3	Operational Records - Drafting and Legislation programme	Operational drafting process records, eg Drafting Team administration files, drafts and working papers of manuals, Counsels' Assistants Administration and Procedures, Summer Clerk administration, legislative file creation, Drafting services surveys, Drafting resource management, received information from Cabinet Office/Office of the Clerk, weekly reports on progress of Bills being drafted. Also includes administrative records relating to printing and publishing of both hard copy and electronic versions of legislation	Date of last action	5 years	D - Destroy		LE 102, LE 103, LE 111, LE 112, LE 113, LE 121, LE 122, LE 123, LE 124, LE 303, LE 801, LE 901, PP 100, PP 202, PP 400, PP 500, PP 600, PP 700, PP 800, LS 500, LS 700, LS 800, LS 900, RP 305, RP 306, RP 401, RP 402, RP 600, RP 900, PR 100, PR 200, PR 300	
1.4	Records relating to groups/committees concerned with drafting issues	Includes correspondence, reports, minutes and agendas of meetings where PCO is involved. It is expected that any records of archival value in this class will be transferred to Archives New Zealand by the other group/committee. E.g. Regulations Review Committee, Rules Committee, Government Administration Committee, Standing Orders Committee	Date of last action	10 years	D - Destroy		LE 109, LE 118, LE 120, LE 125	Note: the records of some of these committees such as the Regulations Review Committee and the Rules Committee records may be required for reference at PCO for longer than 10 years.
1.5	Legislation Programme - received information or operational records	Bids to the A-G to include specific Bills in annual legislative programme, Annual status reports, correspondence relating to the programme, reports on latent legislation, Select Committee Process, Regulations - Information from Departments Note - the records of the planning and consultation around the legislation revision programme are part of class 1.1, the actual revisions of Bills are part of class 5.1	Date of last action	10 years	D - Destroy		LE 600, LE 1200	Records kept by other agencies, or records of an operational nature.
1.6	Drafting assistance to Pacific Nations - advice and guidance	Significant drafting advice, templates and guides for drafting, feedback on specific legislation (not drafted by PCO). Guides to the legislative working environment for each country. Commonwealth Secretariat - Pacific Working group records include the secondment of PCO drafters to assist in delivery of training for Pacific Island drafters.	Date of last action	10 years	A - Retain as public archive		LE 117, LE 702, LE 703	Any drafting work done by PCO is filed in the legislation database and will be transferred with those files. Earlier Pacific Island work was filed in LE 1005 vol 1 which has been transferred to ANZ.

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1.7	Drafting assistance to Pacific Nations - administration	Administration of drafting assistance to Pacific Nations. Establishment of Pacific Island Helpdesk - MFAT MOU, Establishment.	Date of last action	10 years	D - Destroy		LE 701	MFAT MOU and SSDPF applications are covered by MFAT schedule.
1.8	Compliance with, and dealings under the Treaty of Waitangi (ToW); Relationships with Maori	PCO compliance with and contribution to ToW and relationships with Maori, such as: bilingual legislation investigation and reports; the status of ToW in legislation; setting the definitions of Maori words in legislation.	Date of last action	10 years	A - Retain as public archive		LE 003, LE 007, LE 014	
1.9	Non-Governmental Legislative Enquiries	Correspondence advising on drafting of private Bills or local Bills undertaken by Law firms	Date of last action	10 years	A - Retain as public archive		LE 1001	
1.10	Interaction with overseas Legislative Drafting offices	Includes correspondence with other legislative organisations, and received information on drafting process and how it is applied in other countries eg Commonwealth Association of Legislative Counsel Newsletter which is edited by PCO. Excludes visits or drafting assistance to Pacific Islands or secondments or exchanges.	Date of last action	10 years	D - Destroy		LE 1005, LE 101, LE 117	Volume 1 of LE 1005 was transferred to ANZ, but later volumes have no correspondence of long term value. For records relating to period when PCO was secretary (2011 onwards) of the Association, these files need to be retained at least 10 years for reference purposes.
1.11	Government Printing Office Sale Records	Implementation of the Government decision to sell the Government Printing Office - the impact on PCO, including PCO drafting of the MOU	Date of transfer of Treasury records to Archives New Zealand	20 years	D - Destroy		PR 006	Treasury files of the sale have already been transferred to ANZ. They show the involvement of PCO in the sale, so transfer would be duplication of records at ANZ. The Treasury files have a 25 year restriction from date of transfer (2011), so PCO wish to retain these until the restriction on the Treasury files is lifted.
<b>2</b>	<b>CROWN CLIENT MANAGEMENT</b>							
2.1	Significant correspondence and reports	Correspondence of a significant nature and reports relating to amendments to Bills, Legal Opinions and other issues not covered by the or captured in LENZ as it is outside of the current legislative drafting programme. This includes PCO opinion and reports on departmental questions on specific legislation, <i>eg response to RBNZ regarding Banking and Insolvency Bills</i> , correspondence with control agencies - SSC, Treasury, Audit NZ, Archives NZ about the legislation they administer.	Date of last action	10 years	A - Retain as public archive		AG 000, AG 100, AG 200, AG 300, GV 000	
2.2	Routine correspondence and received information	Correspondence of a routine nature and received information from government agencies that requires no action by PCO. For example: - Correspondence for information purposes only - Published materials	Date of last action	5 years	D - Destroy		AG 000, AG 100, AG 200, AG 300	
<b>3</b>	<b>GOVERNANCE</b>							
3.1	Reviews of PCO	Major reviews of the PCO - eg Law Commission review of PCO	Date of last action	10 years	A - Retain as public archive		GV 401, GV 407	

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3.2	Internal Governance Group records	Includes all formal records of PCO internal decision-making bodies such as the Senior Management Team (SMT) meetings, Audit and Risk Committee meetings. Includes: - agendas - minutes - papers presented - presentations/briefings	End of financial year meeting was held in	10 years	A - Retain as public archive			
<b>4 MAJOR PROJECTS TO IMPROVE ACCESS TO OR DRAFTING OF LEGISLATION</b>								
4.1	Project Establishment	Final versions of key project establishment documents such as: - Discussion papers and strategy papers - Terms of reference/scope of project - Cabinet papers and approvals - Stakeholder engagement plans - Communications strategy - Business case - Expressions of interest final documentation  Note: Draft project establishment records are covered by sub-class 4.4 Operational project records	Date of last action	10 years	A - Retain as public archive		PPAL 009 PPAL 022 PPAL 032 PPAL 064 PPAL 074	
4.2	Project Management	Project management records including all agreed project plans, project governance meeting records, formal reports produced during the project about the project. Includes: - Governance group meeting records - Agreed project plans - Reports to project stakeholders (Ministers, Treasury, SSC, Office of the Clerk and IRD), PCO Senior Management team - Quality Assurance Reports and Spotlight Review reports - Technical Review Reports - Decision register - Risk register - Change control register  Note: Draft project management records are covered by sub-class 4.4 Operational project records	Date of last action	10 years	A - Retain as public archive		PAL 0/42 PAL 0/43, PAL 11, PAL 13/4/2 PAL 13/05 PAL 14/5/1 PAL 27/03 PAL 27/08 PAL 28/03 PAL 28/04 PL3 300, PL3 504, PL3 506, PL3 509, PL3 510, LZ 305, LZ 313, PAL 0/023 PAL 0/061 PAL 0/072 PAL 0/073, PAL 0/074 PAL 13/1/1 PAL 13/1/2 PAL 13/8/1 PAL 13/8/2 PAL 13/8/4 PL3 704 PL3 810	
4.3	External Communications	Project Communications - media releases and articles, communications planning and change management, external queries, website static content, change readiness surveys and cultural change management, significant internal project communications  Note: Internal project communications are covered by sub-class 4.4 Operational project records	Date of last action	10 years	A - Retain as public archive		PAL 0/50 (vol 1) PAL 0/51, PAL 0/52, PAL 0/53, PAL 0/55, PAL 0/56, PAL 14/1/1 PAL 14/1/2 PAL 14/2/1 PAL 14/2/2 PAL 14/2/3 PAL 14/2/4 PAL 14/3/2 PL3 607 PL3 609 PL3 610 PL3 611 PL3 1512	
4.4	Operational Project Records	Records that document operational aspects of the project such as: - Drafts of key project documents - Drafts of project establishment documents - Internal project communications - Drafts of project reports - Routine correspondence about the projects - Change requests - Project budget - Project administration	Date of last action	10 years	D - Destroy			

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<b>5</b>	<b>LEGISLATIVE DRAFTING RECORDS</b>							
5.1	Significant Legislative Drafting records	<p>All physical files documenting the drafting of Legislation and all documents stored in the LENZ system includes:</p> <ul style="list-style-type: none"> <li>• drafts of legislation</li> <li>• published versions of legislation,</li> <li>• reprinted versions of legislation</li> <li>• supporting documents which add context to the drafting of that legislation.</li> </ul> <p>Includes: Government, Private and Local Bills, Regulations, Orders in Council, Proclamations, Warrants, Notices, Rules and Legislative Instruments, Pacific Island Desk drafting legislation. <i>The significant records included in the physical file are drafts of the legislation sent for review or proofreading, or which show significant changes in intent or direction, annotated drafts and final proof versions. Also included are supporting documents such as drafting instructions, correspondence with the instructing or reviewing agencies (including email), submissions to select committee which have influenced the drafting, cabinet papers relating to the legislation, and evidence that the legislation was enacted or made.</i></p>	Date of last action	10 years	A - Retain as public archive			<p>These records need to be restricted after transfer due to Legal privilege.</p> <p>Note: as at September 2016 is it understood that the physical file continues to contain the most complete legislative drafting record. It is therefore recommended that the physical file is transferred to Archives New Zealand, and the electronic file is maintained by PCO. If there is any change to the status of the physical file (i.e. the drafters stop printing out all significant records) then the decision to transfer the physical file and not the electronic will need to be re-examined.</p>
5.2	Non-significant legislative drafting records	<p>Examples</p> <ul style="list-style-type: none"> <li>• Unannotated copies of legislative drafts,</li> <li>• duplicates of drafts already on the file,</li> <li>• working documents with no significant context, or which have been incorporated into a formal record</li> <li>• Select Committee submissions determined by the legislative drafter to have had no significant impact on the drafting of legislation</li> </ul>	Date of last action	3 years	D - Destroy			
5.3	Legislative Tracking Records	All records created that track the progress of legislation. For example records stored in the LegTracking system, the Proofreading Database etc	After the active life of the system	1 year	D - Destroy			