

Financial Markets Authority Retention and Disposal Schedule

Class ID	Class name	Class description
1	Governance and strategic planning	Records regarding governance, strategic direction and risk management activities of the FMA not covered by the Archives New Zealand General Disposal Authority for common corporate records, GDA 6.
2	Public reports and advice to officials	Published and non-published reports and advice to officials/ministers of the Crown as required by legislation and the FMA'S duty to be transparent to the public.
3	Law reform and policy	Records relating to the review of legislation and practices for the financial markets, financial markets participants and other persons in those markets.
4	Communications and guidance	Communications to the public of financial market announcements, authorisations, warnings of scams and investment fraud. Guidance and educational resources to promote a better understanding of financial markets legislation, and products for investors, consumers and market participants.
5	Market authorisation, accreditation and licensing	Licensing assessments, applications, accreditations and authorisations of financial markets professionals, services and products.
6	Exemptions, designations, waivers and frameworks or methodologies	Guidance and applications to exempt persons or transactions from some financial markets' law requirements. Applications of designations of regulated products and services.
7	Compliance monitoring and supervision	Records relating to the monitoring and surveillance of licensed financial markets services, participants and products.
8	Investigations and enforcement	Records of conduct assessments, investigations and enforcement actions under the legislation that the FMA enforces.
9	External relationship management	Records relating to the development, interaction and relationship management with other regulatory agencies (both national and international), other relevant industries and market participants.
10	Datasets	Industry, sector and other data created or collected to enable the FMA to understand markets and to forecast, model, analyse and plan activities relating to regulated financial products and services.

Class ID	Class title	Class description	Minimum retention period by the FMA	Trigger point/date	Disposal action	Sign-off for disposal of records	Restriction (refer to Appendix)
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1

Governance and strategic planning

Records regarding governance, strategic direction and risk management activities of the FMA not covered by the Archives New Zealand General Disposal Authority for common corporate records, GDA 6

1.1	FMA board, division and committee meetings	FMA board, division and committee meetings agendas, signed minutes, papers, decisions and approvals.	10 Years	End of financial year	A-retain as public record	General Counsel	[Removed]
1.2	Executive committee, and steering group meetings	Executive committee and steering group meetings agendas, signed minutes, papers, decisions and approvals.	10 Years	End of financial year	A-Retain as public record	General Counsel	[Removed]
1.3	Executive team meetings	Executive committee meeting agendas, signed minutes, papers, decisions and approvals.	10 Years	End of financial year	A-retain as public record	General Counsel	[Removed]
1.4	Governance registers	Register of sub-delegations and records of papers, decisions and approvals according to sub-delegation powers.	10 years	End of financial year	A-retain as public record	General Counsel	
1.5	Organisational development and review	Records relating to the review of the organisational development at a strategic level.	10 Years	End of financial year	D-Destroy	General Counsel	

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2	Public reports and advice to officials	Published and non-published reports and advice to officials/ministers of the Crown as required by legislation and the FMA duty to be transparent to the public.					
2.1	Published public reports	Published reports required by legislation. Reports on the origin, role, functions of the FMA. Public reports on compliance, monitoring and other materials not covered by legal deposit.	10 Years	Date of last action after publication	D-Destroy	General Counsel	
2.2	Unpublished (confidential) reports	Reports containing confidential data and information not immediately available to the public due to commercial-in-confidence information.	15 Years	Date of last action after publication	A-Retain as public archive	General Counsel	[Removed]
2.3	Reports and advice to officials or Ministers of the Crown	Final reports and advice to officials or Ministers of the Crown.	10 Years	Date of last action after publication	A-Retain as public archive	General Counsel	[Removed]
2.4	Accountability planning and reporting	Records of strategic planning and reporting. Audit reports, statement of intent, annual reports, statement of performance information and expectations.	10 Years	End of financial year	A-Retain as public record	General Counsel	

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3 **Law reform and policy**

Records relating to the review of legislation and practices involving the financial markets, financial markets participants and other persons engaged in the conduct of those markets.

3.1	Review of financial markets legislation	Records relating to the review of law and practice relating to the financial markets, financial markets participants.	10 Years	Date of last action after publication	A-Retain as public archive	General Counsel	[Removed]
3.2	Review of legislation for which other agencies are responsible	Records providing comments to other agencies of the review of legislation.	7 Years	Date of last action	D-Destroy	General Counsel	
3.3	Review of standards and codes of practice for which other agencies are responsible	Records relating to the review of standards and codes of practice which other agencies are responsible for.	7 Years	Date of last action	D-Destroy	General Counsel	
3.4	Review of standards and codes of practice for which the FMA is responsible	Records relating to the review of standards and codes of practice which the FMA is responsible for.	10 years	Date of last action	A-Retain as public archive	General Counsel	[Removed]

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Communications and guidance

Communications to inform the public of financial market announcements, authorisations, warnings of scams and investment fraud. Guidance and educational resources to promote a better understanding of the financial markets legislation and products for investors, consumers and market participants.

4.1	Preparation work involved in development and distribution of communications and guidance resources	Communications plans, correspondences with suppliers, publishers, designers, layout options etc.	7 Years	Date of last action after publication	D-Destroy	General Counsel	
4.2	Published announcements, authorisations and warnings	Communication records of financial market announcements, summaries of exemptions from financial markets law and market authorisations. Warnings of scams and investment fraud.	10 Years	Date of last action after publication	D-Destroy	General Counsel	
4.3	Investor capability and financial markets educational resources	Communication plans, published educational resources such as guidance factsheets, brochures and other materials.	15 Years	Date of last action after publication	A-Retain as public archive	General Counsel	[Removed]
4.4	Media relations	Press releases, media analysis, questions and responses.	10 Years	Date of last action	D-Destroy	General Counsel	
4.5	Published research and analysis reports	Research and analysis reports prepared by the FMA not covered by legal deposit.	10 Years	Date of last action	D-Destroy	General Counsel	

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5 **Market authorisations, accreditations and licensing**

Licensing assessments, applications, accreditations and authorisations of financial markets professionals, services and products.

5.1	Development of licensing, authorisations, accreditation policies, procedures and guidelines	Records relating to the development of policies, procedures and guidelines for the assessment of market authorisation, accreditations and licence applications	15 Years	Date of last action	A-Retain as public record	General Counsel	[Removed]
5.2	Market authorisations and licence applications of financial markets participants and products	Assessments of applications for licences, accreditations and authorisations including information collected for the decision-making process such as applications, renewal documentation, supporting documentation, correspondence.	20 years	Date of last authorisation/licence or accreditation	D- Destroy	General Counsel	
5.3	Review of existing authorisations, accreditations/and or licence	Records relating to the review of existing authorisations, accreditations and/or licence.	10 Years	Date of last action	A-Retain as public record	General Counsel	[Removed]
5.4	Regulatory guidance and correspondence in relation to market authorisations, accreditations, and/or licence applications	Records of correspondence in relation to market authorisations, accreditations, and/or licence applications.	15 Years	Date of last action	D-Destroy	General Counsel	
5.5	Granting of consents to governance changes of managed investment schemes	Records relating to the request and granting of the FMA's consent to governance changes to managed investment schemes.	15 Years	Date of last action	A-Retain as public record	General Counsel	[Removed]
5.6	Personal files of licence, authorisation, accreditations applicants	Personal records obtained from assessments of applications for licences, accreditations and authorisations including information collected for the decision-making process.	Retained for the lifetime of the licence/authorisation or accreditation	Date of last action	D-Destroy	General Counsel	

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6 **Exemptions, designations, waivers and frameworks or methodologies**

Guidance and applications to exempt persons or transactions from some financial markets law requirements. Applications of designations of regulated products and services.

6.1	Development of exemption, designation and waiver, policies, procedures and guidelines, frameworks and methodologies	Records relating to the development of exemption, designation and waivers policies, procedures, guidelines, framework and methodology.	15 Years	Date of last action	A-Retain as public record	General Counsel	[Removed]
6.2	Individual exemption, designation and waiver applications	Assessment of applications to the FMA seeking exemptions, designations and/or waivers from the compliance of financial markets legislation.	20 Years	Date of last exemption, designation or application	D-Destroy	General Counsel	[Removed]
6.3	Review of existing exemptions and/or designations	Records relating to the review of existing exemptions and/or designations.	10 Years	Date of last action	A-Retain as public record	General Counsel	[Removed]
6.4	Regulatory guidance and correspondence in relation to exemptions, designations and/or waivers	Records of correspondence in relation to exemptions, designations and/or waivers.	15 Years	Date of last action	D-Destroy	General Counsel	

Class ID	Class title	Class description	Minimum retention period by the FMA	Trigger point/date	Disposal action	Sign-off for disposal of records	Restriction (refer to Appendix)
7	Compliance, monitoring and supervision	Records relating to the monitoring and surveillance of licensed financial markets services, participants and products.					
7.1	Preparation work involved in supervising financial participants and products	Records covering site visit plans including templates and checklist.	7 Years	Date of last action after case concluded	D-Destroy	General Counsel	
7.2	Monitoring and supervision of financial market participants and products	Information collected from site visits, annual information returns and surveys collected. Records of feedback, recommendations and guidance.	15 Years	Date of last action after case concluded	A-Retain as public record	General Counsel	[Removed]
7.3	Supervision and oversight of primary and secondary markets	Records relating to the monitoring and compliance of primary markets and secondary markets including NZX general obligation review and regulatory reporting.	15 Years	Date of last action after case concluded	A-Retain as public record	General Counsel	[Removed]
7.4	Review of issuer disclosure	Records relating to the review of regulated offer information.	15 Years	Date of last action after case concluded	D-Destroy	General Counsel	
7.5	Development of monitoring and supervision policies, procedures and guidelines	Records relating to the development of policies, procedures and guidelines for the assessment of market participants.	15 years	Date of last action	A-Retain as public record	General Counsel	[Removed]
7.6	Monitoring of audit firms and/or accredited bodies	Records relating to monitoring or supervising audit firms and/or accredited bodies.	15 years	Date of last action after case concluded	D-Destroy	General Counsel	[Removed]
7.7	Audit quality reviews	Records relating to audit reviews.	15 years	Date of last action after case concluded	D-Destroy	General Counsel	

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8	INVESTIGATIONS AND ENFORCEMENT						
	Records of conduct assessments, investigations and enforcement actions under the legislation that the FMA enforces.						
8.1	Conduct assessment	Records relating to the assessment of potential misconduct.	10 Years	Date of last action after case concludes	D-Destroy	General Counsel	
8.2	Issue of warnings, notices and orders to correct breaches of misconduct	Records documenting the decision to use the FMA's statutory regulatory powers to issue warnings, notice and orders. This includes proposal of intention to issue order, approval by decision maker, written submission by market participant and finalised notice.	15 years	Date of last action after case concluded	D-Destroy	General Counsel	
8.3	Investigations that result in settlement	All investigative work associated with investigations that result in a negotiated/mediated settlement. This includes information collected for settlement.	10 Years	Date of last action after close of investigation	A-Retain as public record	General Counsel	[Removed]
8.4	Investigations that do not proceed to litigation	Records associated with investigation work including investigation reports, enforcement response letters, reports on outcomes.	10 Years	Date of last action after close of investigation	D-Destroy	General Counsel	
8.5	Investigations that proceed to litigation	Records associated with investigative work including search warrants legal opinions, interviews, investigation reports.	10 Years	Date of last action after end of litigation	A-Retain as public record	General Counsel	[Removed]
8.6	Investigations at the request of overseas regulators	All investigative records created at the request of an overseas regulator including information collected and the related investigation reports.	10 Years	Date of last action after close of investigation	D-Destroy	General Counsel	
8.7	Litigation of major or substantive proceedings	Litigation records documenting litigated cases (not including evidence); all appeal records and all judicial records held by the FMA that are not captured by GDA564.	10 Years	Date of last action after case concluded and period of notification of appeal elapsed	A-Retain as public record	General Counsel	[Removed]
8.8	Litigation of routine or minor proceedings	Records covering routine/minor litigation proceeding held by the FMA that are not captured by GDA564.	10 Years	Date of last action after case concluded	D-Destroy	General Counsel	

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9 **External relationship management**

Records relating to the development and relationship management with external organisations, government bodies and market participants.

9.1	Relationship management with government agencies and co-regulators	Records documenting correspondence, meeting information and reporting with other government agencies such as the Serious Fraud Office, the Department of Internal Affairs, Ministry of Business, Innovation and Employment and the Commerce Commission that is not covered by another class. Memoranda of understanding and exchange of information with co-regulators, briefing papers and background materials.	10 Years	Date of last action	A-retain as public record	General Counsel	[Removed]
9.2	Strategic relationship management and co-operation with international organisations	Records relating to relationship development, exchange of information, memoranda of understanding, correspondence and meeting records with international organisations including information exchanged under the IOSCO Multilateral Memorandum of Understanding.	10 Years	Date of last action	A-retain as public record	General Counsel	[Removed]
9.3	Strategic relationship management with industry stakeholders and consumers	Records documenting correspondence and relationship with various industry stakeholders and consumers within New Zealand that is not covered by another class.	10 Years	Date of last action	A-retain as public record	General Counsel	[Removed]

Class ID	Class title	Class description	Minimum retention period by the FMA	Trigger point/date	Disposal action	Sign-off for disposal of records	Restriction (refer to Appendix)
10	Datasets	Industry, sector and other data created or collected to enable the FMA to understand markets, forecast, and model, analyse and plan regulated financial products and activities.					
10.1	Original dataset received from external sources	The original version of a dataset received from external sources either in the format in which it was received or data /content retained in a system regularly audited.	20 Years	Date of last action	D-Destroy	General Counsel	
10.2	Operational dataset with accompanying metadata	The first version of dataset created from the collected data and metadata that has been collected with and about the dataset.	20 Years	Date of last action	D-Destroy	General Counsel	
10.3	Definitive version of dataset with accompanying metadata	Market and Industry data retrieved from annual information returns and audit information. Information disclosed from reports and information received from different vendor's information from analysis reports. Working versions of datasets used during processing including extractions and manipulations and metadata that has been collected with, and about, the dataset.	20 Years	Date of last action	A-retain as public record	General Counsel	
10.4	Analysis of data	Records relating to analysis of datasets including risk reports registers and monitoring framework.	20 Years	Date of last action	A-retain as public record	General Counsel	
10.5	Operational dataset generated through Case Logic and Relationship Engine	Data entered into Case Logic and Relationship Engine in regards to market participants operational activities, record of contact, licence information, complaints and referral information.	20 years	Date of last action	D-Destroy	General Counsel	[Removed]

Appendix – Access Restrictions of Records

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