



# arts and culture

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**NATIONAL ARCHIVES AND RECORDS SERVICE OF SOUTH AFRICA  
NASIONALE ARGIEF EN REKORDDIENS VAN SUID-AFRIKA  
DIAKHAEFE TŠA BOSETŠHABA TŠA AFRIKA BORWA  
INQOLOBANE YOKUGCINA AMAGUGU KAZWELONKE ENINGIZIMU AFRIKA**

The FOIP Project Officer  
Mr. S Maimane  
South African History Archive  
P.O. Box 31719  
BRAAMFONTEIN  
2017

03 September 2013

Dear Mr. Maimane,

**SUBJECT: INTERNAL APPEAL PERTAINING TO THE REQUEST FOR ACCESS TO RECORDS OF A PUBLIC BODY IN TERMS OF SECTION 18(1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT NO.2 OF 2000) [REGULATION 2] RECEIVED FROM THE SOUTH AFRICAN HISTORY ARCHIVE. REFERENCE NAR-2013-0001**

I refer to your e-mail, dated 13 August 2013, which includes a PAIA request and internal appeal on questions around the destruction of records.

Attached please find an explanatory statement on the destruction of records signed by me and also the National Archives and Records Service of South Africa Appraisal Policy Guidelines.

I trust that you will find the information to your satisfaction.

Warm regards

MS. MANDY GILDER  
ACT. NATIONAL ARCHIVIST

**EXPLANATORY STATEMENT BY THE ACTING NATIONAL ARCHIVIST REGARDING THE DISPOSAL OF RECORDS PERTAINING TO THE REQUEST FOR ACCESS TO RECORDS OF A PUBLIC BODY IN TERMS OF SECTION 18(1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT NO.2 OF 2000) [REGULATION 2] RECEIVED FROM THE SOUTH AFRICAN HISTORY ARCHIVE**

According to the National Archives and Records Service of SA Act (Act No 43 of 1996 as amended) Section 13 (1), the National Archivist shall be charged with the proper management and care of public records in the custody of governmental bodies. Article 13 of this Act gives the National Archives a regulatory role in government regarding records management.

In terms of Section 13(a) "no public record under the control of a governmental body shall be transferred to an archives repository, **destroyed**, erased or otherwise disposed of without the written authorisation of the National Archivist".

Once disposal authorities have been issued by the National Archivist, governmental bodies can decide on how long the non-archival records should be preserved for their administrative value before they are disposed of. Governmental bodies need to consider the functional needs, financial accountability and other statutory requirements (e.g. the Promotion of Access to Information Act, 2000 and the Promotion of Administrative Justice Act, 2000, etc.) of the records when determining the retention periods.

No destruction should take place without the assurance that the records are no longer required for administrative purposes, that no work is outstanding and that no litigation or investigation or request which would involve the records in question in terms of the Promotion of Access to Information Act or Promotion of Administrative Justice Act is pending.

To be pragmatic, no government can afford financially to keep all records created or received in pursuance of its activities indefinitely. It is therefore required that governmental bodies implement a **systematic disposal programme** based on legal disposal authorities issued by the National Archivist to properly manage and care for records with long term or archival value.

**Request for the National Archives Policy dealing with processes, plans and criteria for the selection of archive material to be destroyed.**

In terms of Section 3 of the National Archives Act one of the main objectives and functions of the National Archives is to **preserve public and non-public records with enduring value** for the use of the public and the State. No policy exists with the aim to destroy archival material. Attached please find the Appraisal Policy Guidelines which is used to guide archivists to identify records with archival value as well as ephemeral records in the custody of governmental bodies.

**Request for the plans to destroy archive material.**

In terms of Section 3 of the Act one of the main objectives and functions of the National Archives is to **preserve public and non-public records with enduring value** for the use of the public and the State. The National Archives has therefore no plans to destroy any archival material.

**Request of list of records that are to be destroyed by the National Archives.**

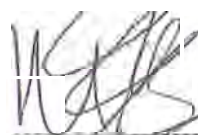
Such a list does not exist - the National Archives has no plans to destroy archival material.

**Request on information of budget allocated for destroying of records.**

The National Archives has not allocated any budget for the purpose of the destruction of records.

**Request for a progress report on developments of plans to destroy the material.**

Progress report not applicable as the National Archives has no plans to destroy archival material.



ACTING NATIONAL ARCHIVIST

Date: 2 September 2013

