

# Transferring custody of records as State archives

**These procedures set out how to transfer records that are required as State Archives to the custody of State Records when they are no longer in use**

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## Summary

These procedures set out how to transfer records that are required as State Archives to the custody of State Records when they are no longer in use. They should be used by public offices that are subject to Part 4 of the State Records Act.

They are designed specifically to assist individual officers who have responsibility for the transfer of records as State archives to the custody of State Records.

## Printable version

These procedures are also available in a printable format (PDF, 225kb) [[../documents/recordkeeping-procedures/Procedures%20for%20transferring%20records%20as%20State%20archives.pdf](#)].

## Procedures at a glance

The following summary of the procedures for transferring records as State archives has been provided for those users who are already familiar with the more detailed information contained in this document.

The table sets out the stages to follow.

Stage	Description
1	Identify records required as State archives by implementing a current retention and disposal authority
2	Contact State Records to discuss the transfer
3	Prepare the records for transfer, in accordance with the guidelines set out in these procedures. Check that records are: <ul style="list-style-type: none"> <li>■ no longer in use</li> <li>■ in good physical condition</li> <li>■ a logical group for transfer, and</li> <li>■ covered by an access direction.</li> </ul>
4	Complete the forms: <ul style="list-style-type: none"> <li>■ transfer proposal</li> <li>■ series proposed for transfer</li> <li>■ series information form/s (for unregistered series)</li> <li>■ consignment list/s</li> </ul> and submit them to State Records.
5	Pack and list the records. Check that the records are: <ul style="list-style-type: none"> <li>■ listed in full on a consignment list/s</li> <li>■ packed in the same order in which they are listed on the consignment list</li> <li>■ containers are numbered with the series, consignment and container numbers.</li> </ul>
6	Arrange delivery or collection of the records with State Records.
7	Document the transfer process. Keep a copy of the transfer documentation and update your records control system with the transfer reference numbers.

## Archives management under the State Records Act 1998

### Aims of Part 4

The State Records Act provides a framework for the sound management of State records from before their creation to their long term preservation and management as State archives.

Part 4 aims to ensure that records of continuing value that are no longer in use for official purposes are controlled and properly managed as State archives regardless of who has control or custody. That is, records of continuing value are:

- stored securely in appropriate climate-controlled conditions
- documented in accordance with State Records' descriptive standards, and
- accessible to the public in accordance with Part 6 of the Act.

State Records is entitled to control records no longer in use for official purposes (s.27). Once State Records is entitled to control a record, the public office ceases to be entitled to control it. The public office is then required to make that record available to State Records (s.29).

## Control of State archives

Part 4 deals with the small proportion of State records which have been authorised for retention as records of continuing value by State Records. Such records become State archives when control passes from a public office to State Records. This process may, or may not, involve a change in custodial arrangements. Records that are transferred are usually:

- identified as State archives in a current retention and disposal authority\*
- over 25 years old
- no longer in use by the public office, and
- in good condition.

**\*Note:** If a retention and disposal authority is under review, State Records may not accept records for transfer.

If the records are...	Then...
less than 25 years old	public offices should usually retain control and custody.
still in use	<p><b>Note:</b> Early transfer is possible. Contact State Records to discuss options.</p> <p>public offices must make a 'still in use determination' to retain control.</p> <p>See the 'Still in use' procedures [../making-still-in-use-determinations/making-still-in-use-determinations] for more information.</p>
confidential or otherwise sensitive	public offices must still transfer control to State Records. Make a 'closed to public access' direction for sensitive records.
needed by the public office once they have been transferred	<p>This is the rule for all State archives unless another Act explicitly overrides the State Records Act.</p> <p>State Records will either</p> <ul style="list-style-type: none"> <li>▪ make the record available in their reading rooms</li> <li>▪ temporarily return either the original or a copy of the original. <b>Note:</b> Records must be handled carefully and protected from damage or loss by the public office. Fees may be charged for this service.</li> </ul>

State Records must take control of inactive records that are more than 25 years old unless:

- the parties agree otherwise
- State Records undertakes to pay for the public office maintaining technology-dependent records
- the public office breaches the transfer guidelines, or
- State Records does not require the records as State archives (s.32 (2)).

Section 29 of the Act requires public offices to conform to guidelines on making records available for management as State archives. For example, the records must be boxed and listed accurately. The guidelines are listed in full in these procedures.

## Custody options

The State Records Act separates the concepts of control and custody. Section 30 of the State Records Act provides two options for custody.

Custody option	Explanation
Transfer of custody to State Records	This is expected to be the most common, 'standard' option for paper records under the State Records Act.

**Distributed management of State archives** Control is transferred to State Records, but custody is managed by another person or body. The custodian in most cases will be the public office that created the records, but the Act allows for other persons to have custody.

State Records has agreements with a number of regional repositories around NSW which manage State archives on our behalf.

Section 36 of the Act requires that a distributed management agreement must cover arrangements for:

- facilitating public access
- return of a record to the public office if required for official purposes (if in the custody of a person other than a public office), and
- safe keeping and proper preservation of the record.

Contact State Records [[../.../contact-us/contact-us](#)] for more information.

This document sets out procedures for the transfer of both control and custody of State archives to State Records.

## Electronic records

Electronic records may be required as State archives. In some cases distributed management will be the preferred option for the long term management of electronic records, as permitted under s.30 of the Act. State Records is also investigating custodial strategies for certain types of electronic records and will advise public offices of progress in this area.

## Government Records Repository (GRR)

Transferring records as State archives to State Records is not the same as sending records to the GRR for storage. The GRR provides a commercial off-site storage and retrieval service for semi-active records (of both temporary and continuing value). These records remain under the control of the public office until they are either destroyed, or transferred to State Records' custody as State archives.

## Explaining transfer terminology

Key terms that are used in these guidelines are explained below. For other recordkeeping terms see State Records' Glossary of Recordkeeping Terms [[../.../introduction/glossary-of-recordkeeping-terms/glossary-of-recordkeeping-terms](#)].

### Consignment

A consignment is a group of records that belong to the same series, need to be kept for the same length of time, and have the same storage requirements and are transferred at the same time. If a series is ongoing, there may be a number of consignments of records of that series.

### Series

A series comprises those records or archives having the same provenance which belong together because:

- they are part of a discernible filing system (alphabetical, numerical, chronological, or a combination of these)
- they have been kept together because they result from the same activity, or
- they are of similar formats and relate to a particular function.

A series may also consist of one item. Also referred to as record series.

Any record transferred to State Records must be identified as part of a series. Over time, parts of a series may be transferred in a number of transfers. Each part of the series will be a separate consignment.

### Transfer

The process of changing the physical custody of archives, generally without changing the legal title of the material. A transfer may include one or more consignments.

## Guidelines for preparing records for transfer as State Archives

Section 29 of the State Records Act allows State Records to issue guidelines about how records are to be made available to it and public offices are required to comply with these guidelines. The guidelines are set out below.

### 1 Status

The State records must be designated as required as State archives in an approved, current retention and disposal authority and correctly sentenced under that authority.

Note: Where a series includes both records required as State archives and records not required as State archives, only transfer those required as State archives.

## 2 Usage

The State records must be no longer in use for official purposes; that is, they are not required for current business operations. State Records will not accept for transfer any records that are still in use. An authorised officer should certify that the records are no longer in use when proposing a transfer.

## 3 Retention period

The time periods during which records are required for active or semi-active use (as specified in the relevant retention and disposal authority) must have expired before records may be transferred.

## 4 Access directions and transfer

All records transferred as State archives must be covered by an access direction or directions.

Note: Transferring State archives to State Records does not automatically make them available for public access. This is a separate procedure covered by Part 6 of the Act.

For more information see State Records' Procedures for Making Access Directions [../making-access-directions/making-access-directions] .

## 5 Physical state

Public offices are responsible for the 'safe custody and proper preservation' of State records under their control (s.11(1)). State Records may decline to approve the transfer of State records that are mouldy, infested by vermin, or in an otherwise unacceptably poor condition until the responsible public office has made appropriate arrangements for their treatment.

If records require treatment (for example, cleaning or repair), contact State Records for advice.

## 6 Size, composition and frequency

Records in series that are created on an ongoing basis ('current series') should be transferred in logical groupings such as an annual consignment. State Records may decline to approve transfers of records when proposed in small batches or at frequent intervals.

## 7 Boxing and listing

State records must be boxed and listed for transfer in accordance with State Records' requirements. See Stage 5: Pack and list the records [#stage-5-pack-and] for more information.

## 8 Equipment/technology-dependent records

State Records may specify the format(s) in which equipment/technology dependent records are to be transferred.

# The transfer process

## Summary of the transfer process

The table below summarises the transfer process. More detailed explanation of each stage follows the table.

Stage	Description
1	Identify records required as State archives by implementing a current retention and disposal authority
2	Contact State Records to discuss the transfer
3	Prepare the records for transfer, in accordance with the guidelines set out in these procedures
4	Submit a transfer proposal to State Records
5	Pack and list the records
6	Arrange delivery or collection
7	Document the transfer process

## Stage 1: Identify records required as State archives

Sentence records using a current authorised retention and disposal authority and identify those records that are required as State archives. If the retention and disposal authority sets out an agency custody period, the records can be transferred as State archives once this period is over (e.g. required as State archives, retain for 15 years).

State Records offers training in sentencing in its courses *Implementing a Records Disposal Authority* [[../../training-calendar/course-outlines/implementing-a-retention-and-disposal-authority](#)] and *Implementing GDA 10* [[../../training-calendar/course-outlines/implementing-gda10-local-government-records](#)] (for local government).

## Stage 2: Contact State Records

The procedure for transferring archives to State Records can be resource intensive as both the public office and State Records must make sure that there is sufficient documentation of the archives so that:

- public offices can continue to access the archives if necessary
- they can be made available to the public.

Contact State Records once you have identified records for transfer to ensure that no effort is wasted. We can also provide advice on practical issues of boxing, listing and numbering.

## Stage 3: Prepare the records for transfer

Prepare records for proposed transfer to State Records in accordance with the guidelines set out in the previous section. Check that the records are:

- no longer in use
- required as State archives in a current retention and disposal authority
- in good physical condition
- a logical group of records to transfer
- covered by an access direction.

If there is any doubt about compliance with State Records' specific requirements, contact State Records before proceeding.

Note: It is a good idea to get the records in order at this stage so that it is easy to list them and to pack them in the right order.

## Stage 4: Submit a transfer proposal to State Records

### Purpose of the transfer proposal

The transfer proposal and associated documentation is very important. Without detailed lists, there is no evidence that particular records were ever transferred. This may put the existence, security and whereabouts of a State archive in doubt.

The transfer proposal consists of:

- a transfer proposal form
- a 'series proposed for transfer' form
- series information form/s
- consignment list/s

These forms and the information they contain are explained in more detail below.

Note: Consignment lists supplied by public offices are the main source of information for retrieval by the public office and members of the public. Most decisions concerning access are based on the date of the record. Therefore the date of an item on a list will allow State Records staff and clients to determine whether an item can be examined.

Detailed item level consignment lists also allow disposal decisions (sentencing) to be spot-checked. This helps to ensure that only records of continuing value are being transferred as State archives.

### How to propose a transfer

Prepare transfer proposal documentation and submit the documentation to State Records for review. The documentation must be submitted on the State Records forms. The table below sets out the necessary documentation and the format in which it must be submitted.

Document	Explanation	Format for submission
Transfer proposal	This form provides information about the public office. Complete one form per transfer. Includes:	Paper (with signature)

- name of the transferring public office
- registered agency number\*
- contact officer
- details regarding proposed delivery/collection of the records
- signature of authorised officer.

**\*Note:** This number is assigned by State Records. If you know the number, include it on the form. If you do not have a number, State Records will add this.

Series proposed for transfer This form provides information about the series to be transferred. Complete one form per transfer and list all series on the form. Includes: Not specified

- series number\*
- series name
- disposal authorisation
- date range
- quantity.

**\*Note:** This number is assigned by State Records. If the series has been registered by State Records, include this number. If not, State Records will add this. See About the series number [[#about-the-series-numberstate](#)], below, for more information.

Series information form This form provides information about unregistered series (those without a series number). Complete one form per unregistered series. Includes: Not specified

- series title
- date range
- description of the series
- control records i.e. registers, indexes used to manage the records in the series
- physical format
- related series.

Include all relevant information about the series in this form as this is the basis of information in the State Records control system and becomes part of the finding aids for researchers.

**Note:** You can register series outside of the transfer process. See About the series number [[#about-the-series-numberstate](#)], below, for more information.

Consignment list This form is a list of the record items making up a consignment, e.g. files, volumes, etc.). Complete a consignment list for each consignment of each series being transferred. You must: Electronic - MS Word or rich text format

- list the record items in the order in which they were created and used
- match the order in which items are packed within the boxes, and
- show container numbers on the list to clearly indicate which items are in each box or other container.

See [How to list records](#) [[#how-to-list-records](#)] in these Procedures for more details.

Note: If submitted electronically, all forms must be in MS Word format. Forms can be sent to State Records via email to Senior Archivist, Transfer and Custody at [transfer@records.nsw.gov.au](mailto:transfer@records.nsw.gov.au) [<mailto:transfer@records.nsw.gov.au>] or on a floppy disk.

## Obtaining the transfer documentation

The transfer forms can be downloaded individually or as a zip file containing all of the forms and examples of completed forms. Follow the links below to download the forms.

- [Transfer Proposal Form \(doc, 159kb\) \[../documents/recordkeeping-transfer/Transfer%20Proposal%20Form%20final.doc\]](#)
- [Series Proposed for Transfer Form \(doc, 166kb\) \[../documents/recordkeeping-transfer/Series%20Proposed%20for%20Transfer%20final.doc\]](#)
- [Series Information Form \(doc, 156kb\) \[../documents/recordkeeping-transfer/Series%20Information%20Form%20final.doc\]](#)
- [Blank Consignment List \(doc, 37kb\) \[../documents/recordkeeping-transfer/Blank%20consignment%20list.doc\]](#)
- [Example of completed transfer documentation \(doc, 635kb\) \[../documents/recordkeeping-transfer/ExamplesofTD.doc\]](#)

To obtain the forms on disk, contact State Records at [transfer@records.nsw.gov.au](mailto:transfer@records.nsw.gov.au) [<mailto:transfer@records.nsw.gov.au>] .

Note: Completed forms can be submitted to State Records via the Transfer Documentation Upload Facility [<http://srwww.records.nsw.gov.au/upload/>] page on our website.

### About the series number

State Records assigns each series a number when it is registered into the State Records control system, e.g. NRS 16213. The series number is then used in any subsequent transfers of records from the same series. Each transfer of records from that series would then be a consignment of that series.

Remember that a Series Information form is required only if a series proposed for transfer has not yet been registered.

**Note:** A series can be registered outside the transfer process, for example, when a disposal authority is being drafted. You can also propose series for registration in advance of preparing other transfer documentation. If you want to do this, prepare the Series Information form/s and send it/them to State Records. This makes the preparation of a transfer at a later date quicker and easier as the series will already have been registered.

### Approval of transfer

State Records will check the transfer documentation once it is received. If there are problems, State Records will contact the officer specified on the Transfer Proposal form to clarify details and, if necessary, discuss what needs to be done.

Please note that proposing the transfer of State records as State archives does not necessarily mean that the transfer will be approved. Note also that approval is given subject to the condition that the actual arrangement and final listing of the records (as checked by State Records after delivery of the records) matches the transfer documentation.

## Stage 5: Pack and list the records

### How to list records

List the records on the consignment list/s in the order in which they were created and used. Complete a consignment list for each of the series listed on the Series Proposed for Transfer form. You need only fill in the public office header details once per consignment. The information required about each record item includes:

- **container number:** usually the box number
- **item number or control symbol:** e.g. a file number or other unique identifier
- **item title or description:** a file title may be adequate but, if it does not clearly indicate the content of the item, add additional information. If the item has no title, provide a brief, concise description
- **date range of the item:** a start date (when the item was created, e.g. date a file was created) and an end date (e.g. when a file was closed)
- **access direction number:** complete this only if more than one access direction applies to the different record items in the consignment. If this is the case, State Records needs to know which access direction covers each record item.

Please see the example consignment lists provided to see the level of detail required. Please do not use acronyms or abbreviations in the item titles. Also, please do not use superscript or subscript fonts.

### How to pack records

Pack the records in the order in which they were created and used, e.g. arrange files in file number order. This must match the order of that records are listed on the consignment list.

Records should be boxed in appropriate boxes or containers, usually State Records' standard 'Type 1' box. These boxes are designed to hold foolscap and A4 files and papers. Do not use large packing boxes. Contact State Records for advice if Type 1 boxes do not seem suitable.

Do not overfill boxes. There should be enough space for a clenched fist between the contents and one side of the box.

If boxing is not appropriate for the records (for example, large volumes or maps), contact State Records to discuss item numbering and how best to package the records for transfer.

### How to number the boxes

Before collection or delivery, label each box with three numbers. These are:

- the series number, assigned by State Records
- the consignment number, assigned by State Records
- the box number, assigned by the public office.

This is an example of a series number and its consignment number:

- NRS 16213/1

This would be the first consignment of New South Wales Record Series 16213.

For each consignment, number boxes starting with 1 and continuing in number order. Do not use letters or alphanumeric labels. E.g. NRS 16213/1/37. This is box 37 of the first consignment of NSW Record Series 16213.

These are the only numbers that will be used. They are the numbers by which State Records will always refer to the State archives in that transfer. They should be recorded in the public office's records control system.

## Stage 6: Arrange delivery or collection

Once the proposed transfer has been approved, State Records will notify the public office and make arrangements for the records to be delivered or collected. State Records will indicate where the records proposed for transfer will ultimately be stored.

State Records will contact the public office's contact officer by telephone to co-ordinate the delivery or collection of the records.

## Stage 7: Document the transfer process

The public office transferring records should keep a copy of the transfer documentation and notifications of approval and receipt of records from State Records. This is their proof that records required as State archives have been appropriately transferred. Update records control systems to indicate that records have been transferred to State Records. Note the reference number of the transfer in the records control system.

## What Happens Following Transfer?

If records are taken into the custody of State Records as State archives, they progress through the following stages:

### Physical control

State Records gives each consignment in a transfer a temporary or long-term location in the Western Sydney Records Centre or other repository (see [Where will the records be stored? \[#where-will-the-records\]](#) , below, for a list of regional repositories).

### Receipt

Public offices are sent a Transfer Receipt stating that the State archives have been received into custody. The receipt documents where the State archives are located (see [Where will the records be stored? \[#where-will-the-records\]](#) , below).

Note: The receipt confirms only that the boxes that contain the State archives have been received. At this stage the contents have not been checked against the consignment lists.

### Confirmation

This involves item by item checking against the consignment lists. If any significant problems with the boxing and listing are discovered at this stage, State Records may contact the public office to discuss rectification. If all is in order, a consignment receipt will be issued once the series and/or consignment are registered. If there have been any changes made to the consignment list the updated list will be attached.

## Where will the records be stored?

In most cases, State archives will be stored at State Records' purpose-built facilities at the Western Sydney Records Centre at Kingswood. For State archives which originated in regional New South Wales, State Records has arrangements with a number of organisations throughout the State whereby storage and public access are provided within the region of origin. This is part of State Records' commitment to regional New South Wales.

These regional repositories are:

- University of New England Heritage Centre, Armidale
- Broken Hill City Library, Broken Hill
- Newcastle Region Library, Newcastle

- University of Newcastle, Callaghan
- Charles Sturt University Regional Archives, Wagga Wagga, and
- University of Wollongong, Wollongong.

Of the above repositories, only Armidale, Broken Hill, University of Newcastle and Wagga Wagga are currently able to accept new transfers. If the records proposed for transfer are suitable for placement at a regional repository, State Records may suggest the records be placed in the appropriate repository. This arrangement would be covered by a distributed management agreement under s.30 (1) and s.36 of the State Records Act.

Further information and assistance may be obtained by contacting State Records at [transfer@records.nsw.gov.au](mailto:transfer@records.nsw.gov.au) [<mailto:transfer@records.nsw.gov.au>].

## Appendix A: Transferring publications

This appendix sets out additional guidance for transferring those publications that are required as State archives to State Records.

Follow the same guidelines and procedures as for the transfer of all State archives. The table below sets out additional things to consider when transferring publications.

Examples of publications that may be required as State archives are annual reports and corporate plans.

Issue	Explanation
When should publications be transferred?	Publications may be transferred when they are produced provided that completed transfer documentation is sent with the publication. Only one copy of each publication that is required as a State archive should be transferred.  You may find it easier to transfer as part of a series, e.g. annual reports 1990-2000. If you are in any doubt that the publications will be retained appropriately, then transfer when produced.
Who should transfer publications?	Liaise with your library or information centre if they distribute publications to ensure that publications are sent to State Records with the proper documentation.  Often publications are sent to State Records in the same way as legal deposit libraries. This is not appropriate for transferring archives. Publications must be accompanied by the required transfer documentation. They will not be accepted without this documentation.
What if the publications are electronic?	<b>Note:</b> Not all publications should be sent to State Records. Only the primary publications of a public office are required as State archives.  If publications required as State archives are only published electronically, e.g. online or as a pdf, you will have to put in place strategies to ensure that they are accessible over time. See <i>Managing digital records</i> [ <a href="http://www.records.nsw.gov.au/guidance/guidelines/guideline-22-managing-digital-records/guideline-22-managing-digital-records">http://www.records.nsw.gov.au/guidance/guidelines/guideline-22-managing-digital-records/guideline-22-managing-digital-records</a> ] for more help on strategies for managing electronic records.  At this stage electronic publications cannot be transferred to State Records.
How should I document the transfer?	All transfer documentation must be completed as for other records. This includes: <ul style="list-style-type: none"> <li>■ transfer proposal</li> <li>■ series proposed for transfer</li> <li>■ series information form (if necessary)</li> <li>■ consignment list.</li> </ul>
How should I package publications?	Package publications in a Type 1 box if they are of a suitable shape and size. If not, contact State Records for advice. If you are transferring small numbers of publications that do not fill a box, then a sturdy envelope will often be adequate packaging.

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State Records is the NSW Government's archives and records management authority. We manage the NSW State archives collection and we set the rules and provide guidance on the management of official records.  
See the [NSW State Plan](#)

