

## > E-MAIL

*Are e-mail messages subject to the Archives Act 1957?  
What are agencies' obligations and responsibilities?*

### > AMBIT:

All Government offices including Archives New Zealand and others managing records and archives (as applicable).

### > CURRENCY:

10 years unless previously revoked

### > DATE OF ISSUE:

2 October 2000

### > AUTHORITY:

Archives Act 1957, s.12 and s. 23(b)

### > PURPOSE STATEMENT:

To advise on the management of electronic mail.

### > SUMMARY:

Where an e-mail message documents a business activity, it should be captured into a corporate recordkeeping system and managed as a record. Electronic records (along with all other media) are covered by the Archives Act 1957. E-mail which forms part of the public record should only be disposed of with the authorisation of the Chief Archivist of Archives New Zealand.

Much e-mail is of only transitory value. In recognition of this, Archives New Zealand's Electronic Records Policy includes an approved disposal schedule to authorise the routine disposal of a range of classes of e-mail.

## 1 > BACKGROUND

1.1 > E-mail is now the most widely-used form of communication within the New Zealand public sector. Many communications (both internal and external) which once occurred on paper now take place electronically. Personal computing has effectively weakened corporate control over this form of communication and placed much of the responsibility for management of e-mail in the hands of the individual user. Corporate systems handle large volumes of private e-mail, often with little attempt to distinguish private from official communications or to impose corporate control over management of the latter.

## 2 > APPLICATION OF ARCHIVES ACT 1957

2.1 > Although electronic mail was not envisaged in 1957 when the Archives Act was passed, the definition of public records in section 2 of the Act operates regardless of medium and includes all communications which are officially made or received by any Government office in the conduct of its affairs or by any employee of the Crown in the course of his or her official duties. E-mail dealing with official business is therefore subject to all the obligations in the Archives Act which apply to records in other forms.

## 3 > MANAGING E-MAIL

3.1 > The starting point must be a process for identifying corporate messages and separating them from personal (non-official) messages under different management regimes (see *What is a Corporate Record*). Regardless of when this occurs, corporate control must be extended over official messages to ensure corporate needs for memory and evidence are met over and above those needs the individual user will naturally satisfy in order to carry out his or her role within the business.

3.2 > E-mail systems which copy messages to separate accounts pose special problems at the corporate level because they result in a proliferation of surplus or duplicate copies of the same document. Imposing corporate control involves identifying which duplicates/versions are to be kept as corporate records.

3.3 > This can be done in one of two ways. All corporate messages can be captured at once and appraised later. Alternatively, the system can be designed to capture at the outset only those messages which need to be kept for corporate purposes, based on a prior appraisal of business needs and processes. The latter approach is preferable on grounds of economy and efficiency.

3.4 > Without any other form of corporate intervention, the primary components of any e-mail management system will be found in the design features of the application and the activity of the individual user. Both of these can incorporate recordkeeping functionality. Most e-mail applications can prevent users from altering sent/received messages and contain basic metadata such as sender/recipient and time. As far as possible, recordkeeping requirements should build on these two design features.

3.5 > Most proprietary systems contain some of the components needed. Suppliers can also be asked to customise packages further. The e-mail system will need to be linked to the recordkeeping system(s) so that connections between one message and another and with records in other formats are made. This can be done through system design or by requirements on users through corporate policies and procedures.

## 4 > RECORDKEEPING REQUIREMENTS

4.1 > Recordkeeping systems may be either in an electronic or a paper form. Printing of e-mail should only be used in the absence of an electronic recordkeeping system. Printed messages are not adequate records of e-mail transactions. Electronic messages contain information which may not be seen on screen and lends

them a value that a printed copy will not have. For e-mail retained in electronic form, the recordkeeping system in which they are captured should be designed and implemented to ensure that the messages are protected from deliberate and accidental damage and that appropriate access to the messages is supported for as long as required.

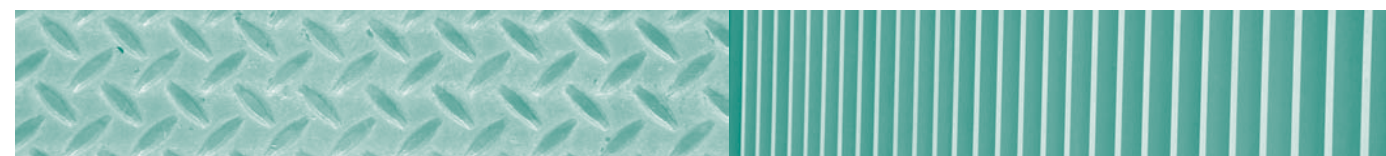
4.2 > E-mail received or generated by public officials in the course of their duties should be managed to provide a full and accurate record of Government business. This can be done by giving them appropriate structure and context and by providing useful templates. The use of a template or addition of context to a message may reflect an evaluation of the business activity of which a message is part.

4.3 > Systems administrators should not request staff to delete corporate e-mail in order to free up server space, either to prevent accumulated e-mail impacting on system performance or for other reasons unrelated to the value or status of the messages. Early appraisal to segregate corporate mail from personal and surplus/duplicate mail can facilitate system administration. Efficient management of e-mail from a systems point of view should not be confused with effective management of records from a corporate point-of-view. E-mail comprising public records should only be disposed of in accordance with an authorisation from the Chief Archivist.

## 5 > DISPOSAL AUTHORITY FOR E-MAIL

5.1 > Much e-mail is of only transitory value. In recognition of this Archives New Zealand's *Electronic Records Policy* includes an approved disposal schedule to authorise the routine disposal of a range of classes of e-mail. These are:

- > Non-work material, i.e. literally 'personal'.
- > Personal work-related material, e.g. light-hearted banter.



- > Trivial work-related material, e.g. routine housekeeping information such as the time and place for meetings, contact details.
- > Incomplete material, e.g. papers or memos begun with enthusiasm but for one reason or another never completed or shown to anyone else.
- > Drafts not sent for comment, approval or to file, i.e. as with the above category, the material was seen by no one except the creator. It was not communicated to anyone else or to file.
- > Copies of material sent from elsewhere for information only, i.e. the equivalent of paper circularised information: the material originates elsewhere and is not meant to result in an action on the part of the recipient. This does not include reports or data received as part of the organisation's business.
- > Electronic bulletin board material not addressed to the recipient personally or to their agency, as well as information down-loaded from libraries, databases, etc.
- > Copies of letters, etc. used as templates for other documents, where the documents themselves have been filed, e.g. a standard memo kept for later modification.

5.2 > E-mail required as evidence of a business activity should be captured into a recordkeeping system.

Established recordkeeping rules should also apply to e-mail, as to other formats.

5.3 > E-mail of the kind described in paragraph 5.1 may be disposed of when it has no further administrative use, and without further authorisation from Archives New Zealand. This applies to:

- > copies of all material printed out and filed on an organised multi-user filing system, or filed electronically under agreement with Archives New Zealand and;

- > electronic copies of all paper material already recommended for destruction under a disposal authority approved by the Chief Archivist, i.e. if the paper equivalent has already been deemed to be of no permanent value.
- > **NOTE:** this principle does not yet apply to retention/disposal of paper copies of digitised public records. Pending establishment of standards which ensure digitised copies maintain the evidential quality of the paper "originals", separate authorisation is required for disposal of public records in paper form even when a digitised or photographic copy is made.

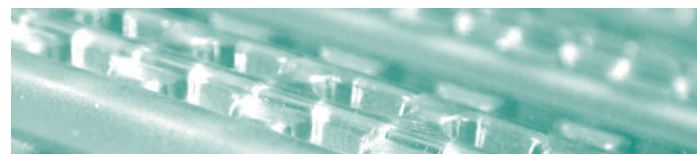
ISSUED PURSUANT TO SECTIONS 12 AND 23(B)  
OF THE ARCHIVES ACT 1957 BY:

*D. M. Macoskill*

CHIEF EXECUTIVE AND CHIEF ARCHIVIST

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## E-MAIL

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ADVISORY NOTICE

