

**Alberta Records Management Committee (ARMC)**

**ARMC Circular: 2006-12**

**Topic: Ministers' Records Created Since April 1<sup>st</sup>, 1995**

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**Introduction**

The purpose of this circular is to provide Senior Records Officers and other records management staff with information concerning the retention and disposition of Ministers' Departmental and Cabinet records that were created and/or received *since* April 1<sup>st</sup>, 1995.

**Background**

On April 1<sup>st</sup>, 1995, with the revision to the *Records Management Regulation* and proclamation of the *Freedom of Information and Protection of Privacy Act*, legal requirements for records management in government were changed. Ministers' records were identified as Departmental, Cabinet, Personal, or Constituency-related. Ministers' Personal and Constituency records are considered the Ministers' personal property and should be disposed according to individual Ministers' decisions. Ministers' Departmental and Cabinet records created since April 1<sup>st</sup>, 1995 are the property of the Crown and subject to the government's records management program.

All Ministers' records, including Departmental, Cabinet, Personal and Constituency records created **prior** to April 1<sup>st</sup>, 1995, are the property of respective Ministers. If a department or agency has custody of such records, the Minister or an alternate person authorized to act on behalf of the Minister must be contacted to arrange for appropriate disposition. ARMC Circular # 2006-01 provides detailed information on the disposition of these records created prior to April 1<sup>st</sup>, 1995.

**Ministers' Personal and Constituency Records created since April 1<sup>st</sup>, 1995**

Ministers' Personal and Constituency records are not subject to the government's records management program and are considered the personal property of Ministers. Ministers can decide to donate these records to the Provincial Archives of Alberta.

If Ministers decide to donate their Personal and Constituency records, they will need to contact the Provincial Archives of Alberta to arrange for a private deposit agreement. Ministers' records donated to the Provincial Archives through a private deposit agreement are explicitly exempt from the terms and conditions of the *Freedom of Information and Protection of Privacy Act*.

**Ministers' Departmental and Cabinet Records created since April 1<sup>st</sup>, 1995**

Records Schedule # 2002/041 addresses Ministers' Departmental and Cabinet records created and/or received *since* April 1<sup>st</sup>, 1995. These records may be maintained either in Ministers' offices or on behalf of Ministers in any other location(s).

Ministers' Departmental and Cabinet records relate to Ministers' Cabinet portfolios and their respective roles in the Cabinet, Treasury Board, and any committees and would document the following:

- Core business functions, activities, programs and services of the reporting departments and agencies;
- The relationship between Ministers' offices and other jurisdictions, ministries, Members of the Legislative Assembly, organizations, and/or individuals; and/or
- Ministers' participation in Cabinet and Cabinet Committees.

The following retention and disposition are documented in the schedule:

Issue	Description
Closure Criterion	Superseded or obsolete or when a Minister leaves office or changes portfolio
Date Range	April 1, 1995 to date
Media	Records can be in any media format (paper, microform, electronic, etc.)
Retention	No onsite or offsite retention
Final Disposition	Archives

Records Schedule # 2002/041 specifically **excludes** the following types of records from the retention and disposition requirements:

- Ministers' records created prior to April 1<sup>st</sup>, 1995;
- Ministers' Personal and Constituency records;
- Administrative records of Ministers' offices, which may be disposed of in accordance with the Administrative Records Disposition Authority (ARDA);
- Personal and Constituency records, which are generated and/or received in Ministers' capacities as Members of the Legislative Assembly (MLAs) or as private citizens, and as these records are considered Ministers' personal property, their disposition requires direction from the specific Minister;
- Ministerial Action Requests and supporting documentation; and
- Electronic records related to *ARTS* (Action Request Tracking System) and any other electronic tracking systems used by Ministers' offices.

**Further Information**

For further details or clarification of the contents of this circular, please contact the ARMC secretary at [SA.InformationManagement@gov.ab.ca](mailto:SA.InformationManagement@gov.ab.ca) or (780) 427-3884.

Additional information on the management of Ministers' records can be found in the *Managing Records in Ministers' Offices* guide.

*Signed by:*

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Tom Thackeray, Chair

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Date